HISTORIARCHOS,
OR
The Exact Recorder:

Being

The most faithfull Remembrancer, of the most Remarkable transactions of Estate, and of all the *English* Lawes, and the just Motives of them; for the Proprieties, Rights, and Liberties of the *English* Subjects.

As most elabourately they are Collected for the benefit of them, out of the Antiquities of the *Saxon* and *Danish* Kings, unto the Coronation of WILLIAM the Conqueror; and continued unto the present Government *Of* RICHARD *now Lord Protector.*

By
WILLIAM PRYNNE Esquire, and Bencher of *Lincolns Inne.*

LONDON,
Printed for *Francis Coles*, dwelling at the Signe of the halfe-Bowle in the Old Baily, 1659.

To the

Ingenuous Unprejudiced READER.

I *Here preſent thee with* The Third part of a ſeaſonable, Legal, and Hiſtorical Vindication of the good old Fundamental Liberties, Franchiſes, Rights, Properties, Laws, Government of all Engliſh Freemen; *with* A Chronological Collection *of their* Strenuous Defences by Wars, *and otherwiſe*; *of all the* Great Parliamentary Councils, Synods, *chief Laws, Charters, and other* Proceedings, *in them*; *the great fatal* Publick Revolutions, Invaſions, Wars, National Sinnes, *occaſioning them*; *and the* exemplary Judgements *of God upon* Tyrants, Oppreſſors, Perjured perſons, Rebells, Traytors, Regicides, Uſurpers, *under our* Saxon *and* Daniſh Kings, *ſince the year of Chriſt* 600. *till the Coronation of King* William *the* Norman, anno 1066. *with ſome* Short Obſervations *of mine own here and there ſubjoined, for the Readers benefit, and inſtruction. A work neither*

unseasonable *for, nor* unsutable, unserviceable *to our present times, worthy the serious perusal of all who profess themselves* trons *of the Publique* Fundamental, Rights, Liberties, Laws, Properties, Government *of the* English Nation: *or studious of our old* Parliamentary Councils Acts, Laws, Charters Proceedings *or of our English* History. *From which intelligent wise Christian Readers, by observing the Providences, Judgements, Proceedings of God towards our ancestors, and others, for their* national, personal crying bloody sins *in former ages, may probably conjecture what* Tragical Judgements, Events, *our whole* Nation in general, *many* transcendent Delinquents *in particular, have now just cause to fear and expect, for their* exorbitant iniquities, (*equalling or exceeding any in those former ages*) *unless their speedy, real, sincere repentance, reformation, and Gods infinite mercy, ward them off.*

True it is, that the infallible certainty of future contingent judgements, *and* events, *national or personal*, are (*a*) known only to God himself, (*b*) who changeth the times, seasons, removeth Kings, and setteth up Kings; pulleth down one and setteth up another: roots up, pulls down, destroyes, builds, plants Nations, Kingdomes, Cities, Families, Persons, at his pleasure; doing whatsoever pleaseth him, both in heaven, earth, the Sea, all deep places, and amongst all the Inhabitants of the earth; and none can stay his hands, nor say unto him, What dost thou? *Yet notwithstanding wise intelligent Christians by a serious examination, and comparing of the Judgements of God, expressly threatned against, and usually inflicted upon* Nations *or* Persons, *for such and such transgressions, in precedent generations*; (*c*) may probably conjecture & predict, *what severe exemplary punishments our late present transcendent wickednesses, & outragious crimes, are like to draw down upon our impenitent, secure perjured* sinfull Nation, *and the hairy scalps of all those* Grand Offenders,

[*a*] *Isay.* 41. 22, 23, 26. *Acts* 1. 7. *Deut.* 29. 29. *Dan.* 2. 18, 19, 22.

[*b*] *Dan.* 2. 21. *c.* 4. 32, 35. *Psal.* 75. 6, 7. *Psal.* 135. 6. *Jer.* 1. 10. *Is.* 40. 23, 24.

[*c*] *Prov.* 22. 3. *c.* 27. 12. *Isay.* 26. 20, 21. *Amos* 3. 6, 7. *Rev.* 18. 4. *See the the life Dr. James Usher p.* 29, 86. *to* 91, 166.

ders,

ders, who go on ſtill in their exorbitant treſpaſſes, though they deem themſelves (*d*) advanced above the reach of any Powers or Tribunalls which may pull them down, *and execute juſtice on them, anſwerable to their bloody crimes, and violences*, there (*e*) being an higher than the higheſt, *who is* both able and reſolved, to execute vengeance on them *in his due ſeaſon, as well as on all* Notorious grand Offenders *in former ages, though never ſo many, if their repentance prevent it not.*

[*d*] *Iſay.* 14. 10. *to* 15. *Obad.* 3. 4. *Jer.* 49. 16.

[*e*] *Eccleſ.* 5. 8. *Deut.* 32. 35. *Pſal.* 94. 8, 9.

It was Davids *profeſſion to God* (*though a victorious King, General, and Man of War*) (*f*) My fleſh trembleth for fear of thee, and I am afraid of thy judgements. *O that this were the preſent temper of our ſecure Nation, and all the ſinners, warriours, and Grandees in it, in this fearleſs ſtupid age; wherein* though (*g*) we commit wickedneſs with both hands, (*h*) our tongues & doings are againſt the Lord, to provoke the eyes of his glory: and we all proclaim our ſins like *Sodome*, and hide them not, [*i*] yet Gods judgements are far above out of our ſight, and we all ſay in our hearts (*like thoſe ſecure Atheiſts mentioned in the Pſalmiſt*) we ſhall never be moved, we ſhall never be in adverſity: God hath forgotten, he hideth his face, he will never ſee nor require it: *Yea, notwithſtanding all Gods threats*, curſes againſt, *his late ſevere puniſhments of* our National, perſonal ſins: (*k*) We bleſſe our ſelves, and ſay in our hearts, we ſhall have peace, though we walk in the imaginations of own hearts, to add drunkenneſſe to thirſt: *quite forgetting what follows thereupon*, The Lord will not ſpare ſuch men, but the anger of the Lord, and his jealouſly ſhall ſmoke againſt them, and all the curſes that are written in his book ſhall lie upon them, & the Lord ſhall blot out their names from under heaven.

[*f*] *Pſal.* 119. 120.

(*g*) *Mich.* 7. 3.

[*h*] *Iſay.* 3. 8, 9.

[*i*] *Pſal.* 10. 5, 11. 13.

[*k*] *Deut.* 29. 19, 20.

Let therefore the contemplation of the National, Perſonal judgements of God upon our Anceſtors here recorded, for thoſe crimes of wch we are now as deeply guilty as they were then, awaken us from our preſent Lethargy, leſt

[l] Prov. 28. 1. 6, 24, 21, 22. we be (*l*) ſodainly deſtroyed, and that without remedy; *and teacheth all this Goſpel leſſon, Rom.* 11. 20, 21. Be not high minded but fear: for if God ſpared not the naturall branches (heretofore, or of late) take heed leſt he alſo ſpare not thee.

* Mat Paris Hiſt. Angl. p. 368. * *Rumor de Veteri facket futura timeri.*

The fourth Section of the third chapter (which begins this *third part*) ſhould have been printed with the *Second part, as a branch thereof, above two years ſince, but that the* Stationer *then kept it back for fear it ſhould ſwell that* Part *overbigg for his preſent Sale; whereby the bulk of this* Third Part, *is now augmented beyond its firſt intended proportion; which all Readers may do well to binde up with the two former parts, to which it hath ſpecial relation, more particularly to the ten* Propoſitions *in the* Firſt Part, *to which the Propoſition figures in the margin refer.*

The moſt of that large tract (of 450. *years ſpace) I have here Chronologically run through, was ſpent either in bloody inteſtine wars between our* Saxon Kings *themſelves, or the* Welſh Britons, *warring upon and againſt each other: or elſe in* defenſive Wars *both by Land and Sea, againſt the invading, bloody, plundering* Danes, Norwegians, Scots, Normans, *and other* Foreign Nations. *During which Military ſeaſons Religion, Devotion, Piety, Law, Juſtice, Parliamentary Councills, Synods, and juſt Government, are uſually caſt aſide, and quite trampled under foot; yet it is very obſervable (for the perpetual honour of our Kingdom: and Kings) that, as during the reign of our antient* Britiſh Kings, *(before the* Saxon *race here ſeated, our Kingdome of* Brittain [m] See part 2. p. 21. 24. Antiqu. Eccleſ. Brit. Spelmanni Concilia, Fox, Speed, Holinſhed in their lives, Uſſerius, De Eccleſ. vit. Primordiis, 6, 3, 5. Godwins Converſion of Britain, *produced (m)* Lucius *the* firſt Chriſtian King, Helena *the* firſt Chriſtian Queen, *and* Conſtantine the great, *her*

ſon

ſon, the first Christian Emperour *in the world*, who publickly imbraced, professed, countenanced, propagated the faith and Gospel of Iesus Christ, and abolished Pagan Idolatry in their Dominions: *And of later times as our English Realm brought forth* (*n*) King Henry the 8th, *the first* Christian King in the world, *who* by Acts of Parliament, abolished the Popes usurped power and jurisdiction out of his Dominions; King Edward the sixth *his son, the first* Christian King, *and* Queen Elizabeth *the first* Christian Queen *We read of in the world*; who totally abolished, suppressed Popery, banished it their kingdoms, and established the publike Profession of the Protestant Religion, by publike Statutes made in their Parliaments: *So during the reigns of our* Saxon Kings, *after they turned* Christians, *this Realm of* England *procreated* (o) more devout, holy, pious, just and righteous Kings, eminent for their piety, justice, excellent Ecclesiastical and Civil Laws, transcendent bounty to the Church, Clergy, and Martyrdom for the defence of Religion, and their Country against Pagan Invaders, than any one Kingdom throughout the World. There being [p] no less then 15 or 16 of our Saxon Kings, and 13 Queens within 200 years space, who out of piety, devotion, and contempt of the world (*according to the piety of that age, but of date in this*) voluntarily renounced their earthly Crowns, and Kingdoms, and became professed Monks, Nuns, to obtain an incorruptible Crown and Kingdom in Heaven; & 12 Kings crowned with Martyrdom, being slain by Pagan invaders, 10 of them being canonized for transcendent Saints, and enrolled for such in all Martyrologies, Liturgies of the Church; *which I doubt few of our new Republican Saints will be: Yea the piety of our Kings in that age was generally so surpassing,* Ut mirum tunc fuerat Regem non Sanctum videre, *as* (q) John Capgrave *informs us. Whence* Wernerus (*a forein Chronologer*) *in his* Fasciculus temporum, *records*; Plures se

[n] *Fox Acts and Monuments, Hall, Hayward, Speed, Holinshed, and others in their lives. Rastal, Rome, Crown, Monasteries, First-fruits, Mass, Service, and Sacraments.*

[o] *Capgrave in his Chronicle. Sir Henry Spelman in his Epistle Dedicatory before his Councils.*

[p] *See Mat. Westm. Capgraves Chronicle, Sir Henry Spelman his Epistle to his Councils.*

[q] *Preface to his Chronicle.*

inveniſſe ſanctos Reges in Anglia, quam in alia mun-
[r] De Vita & Miraculis Edwardi Confeſſoris, col. 369, 371.
di Provincia quantumcunque populoſa. *And* [r] Abbot Ailred *long before him, gives this memorable teſtimony of the Sanctity, Martyrdom, Juſtice and ſtudy of the peoples publike weal before the private, ſhining forth in our Saxon Kings, more than in any other kings throughout the world.* Verum præ cunctis civitatibus Regniſve terrarum, de ſanctitate Regum ſuorum Anglia gloriatur: quorum alii coronati martyrio, de terreno ad cæleſte Regnum migraverunt: alii exilium patriæ præferentes, mori pro Chriſto peregre deligerunt; nonnulli poſito diademate, diſciplicinis ſe monaſticis ſubdederunt: quidam in juſtitia et ſanctitate regnantes, prodeſſe ſubditis quam præeſſe maluerunt (*whoſe footſteps I wiſh the pretending ſelf-denying antimonarchical domineering Saints over us would now imitate*) inter quos iſtud Sydus eximium, glorioſus Rex Edwardus, emicuit, quem cernimus & in divitiis egenum, & in deliciis ſobrium, in purpura humilem, & ſub corona aurea ſeculi contemptorem: *So as the Propheſies of* Pſal. 72, 2, 6. Iſay. 42, 4, 10, 12. c. 49. 1, 23. c. 51, 5. c. 60, 9, 10, 11. c. 66. 19. *ſeem to be principally intended and verified of our Kings & Iſle above all others in the world. No wonder then that theſe ages of theirs afford us* (*notwithſtanding all the* wars, tumults, combuſtions *therein*) *ſundry memorable Preſidents of great Parliamentary Councils, Synods, Civil and Eccleſiaſtical excellent Laws and Canons made in, & royal Charters confirmed by them, with divers memorable Monuments both of our Parliamentary Councils, Kings, Princes, Nobles, Peoples conſtant care, diligence, prudence, fortitude, in defending, preſerving, vindicating, and perpetuating to poſterity the good old Laws, Liberties, Franchiſes, Rights, Cuſtoms, Government, publike juſtice and Propriety of the Nation; to ſuppreſs, aboliſh all ill Law, tyrannical, unjuſt Proceedings, Oppreſſions, Exactions, Impoſts, Grievances, Taxes, repugnant thereunto; & to advance Religion, Piety, Learning, the free courſe of*

Juſtice

Iuſtice, and the peoples welfare. Which I have here in a Chronological method (for the moſt part) faithfully collected out of our antienteſt beſt Hiſtorians and Antiquaries of all ſorts; where they ly confuſed, ſcattered, and many of them being almoſt quite buried in oblivion, and ſo far forgotten, that they were never ſo much as once remembred, or inſiſted on, either in our late Parliaments and Great Courts of Iuſtice, in any late publike Arguments or Debates, touching the violation or preſervation of the fundamental Laws, Liberties, Properties, Rights, Franchiſes of the Nation, now almoſt quite forgotten, and trampled under foot, after all our late conteſts for their defence.

I have throughout theſe Collections *ſtrictly confined my ſelf to the very words and expreſſions of thoſe Hiſtorians I cite, coupling their relations together where they accord in one, citing them ſeverally where they vary, and could not aptly be conjoyned, tranſcribing their moſt pertinent paſſages in the language they penned them (omitted by our vulgar Engliſh Chronologers) and annexing ſome brief obſervations to them for* Explanation *or* Information, *where there is occaſion.*

The whole undertaking I here humbly ſubmit to the favourable acceptation and cenſure of every judicious Reader; who if upon his peruſal thereof, ſhall eſteem it worthy of ſuch an Encomium, *as* (f) William Thorne (*a Monk of* Canterbury) *hath by way of* Prologue *prefixed to his own Chronicle*; Valens labor & laude dignus, per quem ignota noſcuntur, occulta ad noticiam pateſcunt; præterita in lucem, præſentia in experientiam, & futura temporibus non omittantur; & quia labilis eſt humana memoria, neceſſe conſtat ſcriptis inſeri memoranda, ne humanæ fragilitatis contingens oblivio, fieret poſteris inopinata confuſio. *It will ſomewhat incourage me to proceed from theſe remote, obſcure times, to ages next enſuing, in the like, or ſome other Chronological method. But if any out of diſaffection to the work, or di-*

(f) *Hiſtoria Anglicana. ſcriptores, col.* 1757.

verſity from me in opinion, ſhall deem theſe Collections uſeleſs or ſuperfluous, I hope they will give me leave to make the ſelfſame Apology for my ſelf and them, as our moſt judicious Hiſtorian (t) William of Malmesbury *long ſince made for himſelf and his Hiſtorical collections.*

(t) De Geſtis R. Angl. l. 5. p. 173, 174.

Et quidem erunt multi fortaſſis in diverſis Regionibus Anglicæ, qui quædam aliter ac ego dixi, ſe dicant audiſſe vel legiſſe. Veruntamen ſi recto aguntur judicio, non ideo me cenſorio expungent ſtilo. Ego enim veram Legem ſecutus Hiſtoriæ, nihil unquam poſui, niſi quod à fidelibus relatoribus, vel ſcriptoribus addidici. Porro, quoquo modo hæc ſe habeant, privatim ipſe mihi ſub ope Chriſti gratulor, quod continuam Anglorum Hiſtoriam ordinaveram, vel ſolus, vel primus. (*at leaſt Wiſe in this kind*) Si quis igitur poſt me ſcribendi de talibus munus attentaverit, mihi debeat collectionis gratiam, ſibi habeat electionis materiam. Quod ſupereſt, munus meum dignanter ſuſcipite, ut gaudeam grato cognitoris arbitrio, qui non erravi eligendi judicio.

Thus craving the Benefit of thy Prayers for Gods Bleſſing on theſe my publications, for the common liberty, *weale and* Benefit of the Nation, *I commend both them and thee to Gods tuition and benediction.*

Lincolns Inne
December 6. 1656.

WILLIAM PRYNNE.

A Seaſonable, Legal and Hiſtorical Vindication of the good old Fundamental Liberties, Rights and Laws of *England*.

Chapter 3. Section 4.

Comprehending a *brief Collection* of all the moſt obſervable *Parliamentary Councils, Synods, Conventions, Publique Conteſts, Debates, Wars, Hiſtorical Proceedings, Paſſages, Records, relating to the fundamental Liberties, Franchiſes, Rights, Cuſtoms*, and *Government of the People* under our *Engliſh Saxon Kings*, from the year of our Lord 600, till the death of King *Edmund Ironſide*, and reign of *Cnute* the *Daniſh King*, *Anno Dom.* 1017. with ſome brief Obſervations on and from the ſame.

IN the former *Section* I have preſented you with a general brief Account of *our firſt Engliſh Saxon Chriſtian Kings limited Power and Prerogative*, being obliged to *govern their* Engliſh-Saxon *Subjects, not arbitrarily, but juſtly, according to their known Laws, and totally diſabled, to alter, repeal any old, or enact any new Laws; to impoſe any publique Taxes, Tallages, Impoſts, Cuſtoms whatſoever, on their people, upon any real or pre-*

tended necessity; to make any War, Peace; or to alienate the Lands or ancient Revenues of their Crowns, to any pious, publique or private uses whatsoever, without the common consent of their Nobles and Wisemen in general Parliamentary Councils; together with a Summary of the Laws of *Ethelbert*, the first Christian *Saxon King*, wholly pretermitting the Names, Acts, Kingdoms, of our first *Pagan Saxon Usurpers*, rather than *lawfull Kings*: who, though many and great in their generations, were very speedily brought to nothing: *their* * *Kingdoms begun, erected by blood, conquest, and meer power of the Sword, standing not long unshaken by civil wars among themselves, each King envying his equals greatness, and seeking to inlarge his own Dominions upon the next. In which Combustions few or none of them came to the Grave in due time, but were either slain in war, or treacherously murdered in Peace, or expelled their Realms by, or forced to resign their Crowns to others, after all their former prosperous successes and reigns wholly spent in Wars, Troubles, Seditions, Rebellions, Rapines, affording nothing worthy memory for their peoples good, the Kingdoms settlement, or imitation of Posterity.* Whence *Henry Huntindon* in the close of the 2 *Book* of his *Historie*, p. 320, hath this Observation concerning them, very seasonable for our present times; *Vide igitur Lector, & perpende, quanta Nomina quam cito ad nihilum devenerint; Attende quaeso & studе, cum nihil hic duret, ut adquiras tibi regnum, & substantiam illam, quae non deficiet, Nomen illud & honorem qui non pertransibit, monimentum illud & claritatem quae nullis saeculis veterascet. Hoc premeditare, summae prudentiae est, acquirere summae caliditatis, adipisci summae felicitatis.*

* See Mat. westminst. An. 586, &c. Malmesbury, de Gest. Regum Angl. um. l. 1. Hen. Huntindon Hist. lib. 2. Ethelwerdi Hist. lib. 1. 2. Fox Acts and Monum. Vol. 1. p. 148. Speeds Hist. of Great Britain, p. 209, &c.

I shall now in this *Section* proceed in my intended Chonological Method, to their next succeeding *Christian Saxon Kings* reigns in *England*, till the reign of King *Cnute* the *Dane*, *Anno Domini*, 1017.

It is recorded of *Æthelbert* (*a*) the first *Christian Saxon King* of *Kent*, that keeping the Feast of our Saviours Nativity at *Canterbury*, with his Queen, *Eadbald* his Son, Arch-Bishop *Augustine*, and the *Nobles* of the Land; he there held a *Parliamentary Council* with them, on the 5. of *January*, in the year of our Lord 605. Which *Thomas Sprot* thus expresseth (in the Language of his age rather than of that): **Convocato ibidem communi Concilio tam Cleri quam Populi**, *die quinto Januarii*, he did then and there, **Omnium & singulorum approbatione, & consensu**, as he relates; or **cum consensu** *Venerabilis* Archiepiscopi Augustini **Ac Principum meorum, & cum Ædbaldi filii mei, aliorumque Nobilium optimatum meorum Consilio**, as his Charters recite, *give*, *grant* and *confirm* to the Church of St. *Peter* and *Paul* in *Canterbury* for ever, *sundry Lands*, *pretious Utensils*, *Privileges and Immunities by his Charters*, *made and ratified in this Council*. In which (it is most probable) he likewise made those *Judicial Decrees and Laws*, *with* **the advice of his Wise men**, *for the benefit of his people in his own Country Saxon Language*, Which our venerable (*b*) *Beda*, (*c*) *William* of *Malmesbury*, (*d*) *Huntindon*, (*e*) *Bromton*, and (*f*) others mention only in the general, and Bishop (*g*) *Ensulph* hath registred to posterity in his famous manuscript, intituled *Textus Roffensis*, of which I have given you some account before. *Section* 3. *p.* 50, 51, 52. on which you may reflect.

In the year of Christ 627 (*h*) *Paulinus* perswading *Edwin* King of *Northumberland* to become a Christian,

An. Dom. 605

(*a*) *Chronic. wil. Thorne*: *col.* 1760, 1761, 1762, 2123. *Spelman concil. p.* 118. *to* 119. *Chronicon Johan. Bromton, col.* 733. *Proposition* 5, 6, 10.

(*b*) *Ecclesiast. Hist. lib.* 2. *c.* 5.

(*c*) *De Gestis Reg. Angl. l.* 1. *c.* 1.

(*d*) *Hist. l.* 3. *p.* 226.

(*e*) *Chron. col.* 738.

(*f*) *Mr. Seldens Titles of Honour, part.* 2. *c.* 5. *p.* 602. (*g*) *Spelman. Concil. p.* 127. (*h*) *Beda Eccles. Hist. Gentis Anglorum l.* 2. *c.* 12, 13, 14. *See Mat. Westm. An.* 626, 627. *Malmesb. de gest. reg. l.* 1. *c.* 3. *Hen. Huntindon, hist. l.* 3. *p.* 327, 328. *Chron. Johannis Bromton, col.* 781, 782. *Simeon Dunelmensis Epist. de Archiepiscopis Eborum, p.* 77. *Radulphus de Diceto, Abbreviationes Chron. col.* 438. *Gervasius Acta Pontificum Cantuar. col.* 1634. *Godwin in the life of Paulinus, Polychronicon, Fabian, Grafton, Halinshed. Speed, Fox in the life of Edwin. Seldens Titles of Honour, part.* 2. *c.* 5. *Sect.* 6. *p.* 632.

to avoid eternal torments, and to be made a partaker of the Kingdom of Heaven; The King answered, *That he was both willing, and ought to receive the faith which he taught, but he ought first to confer with his* **Friends, Princes, and Counsellors concerning it**, *that so, if they concurred in judgement with him, they might all be baptized together. Assembling therefore his* Wisemen, *and advising with them*, he demanded severally of them all, *What that Doctrine, which they never heard of till then, and that new worship of God which was preached by* Paulinus, *seemed to them?* To whom *Coyfi* the chief of the Priests presently answered: *Do thou consider, O King, what that Religion is which is now preached to us; I profess unto thee, that which I have most certainly learned, that the Religion we have hitherto imbraced, hath no virtue at all in it; whereupon it remains, that if those new things which are now preached unto us, shall appear to thee upon examination, to be better and stronger than our Religion, let us hasten to embrace them without any delay.* To whose wise perswasions and words, **Another of the Kings Nobles giving his Assent**, spake something concerning the brevity and incertainty of this life, and of their ignorance and incertainty of that life which is to come, concluding, *That if this new Doctrine brought any thing to them more certain, than that they formerly imbraced, it ought to be deservedly followed*: The rest **of the Elders and Kings Counsellors**, prosecuting the *like things*, by Divine admonition, *Coyfi* added; *that he desired to hear* Paulinus *preaching concerning God, more diligently than before*; which when he had done, by the Kings command; he cryed out (having heard his preaching) *I heretofore understood, that what we worshipped was nothing, because by how much the more diligently I sought the truth in that worship, the less I found it. But now I openly professe, that in this preaching, the truth shines forth, which is able to give unto us the gifts of eternal life, salvation, and happiness; Whereupon, O King, I advise thee, that the Temples, and*

Proposition 6.

and Altars we have conſecrated without any fruit or benefit, we ſhould now preſently execrate and burn. Upon this, without more debate, *the King openly gave his aſſent to the preaching of* Paulinus, *& renouncing Idolatry, confeſſed that he did imbrace the faith of Chriſt.* And when the King demanded of *Coyſi* his Prieſt, *who ought firſt to prophane and deſtroy the Altars & Temples of the Idols, with the rails & and bounds wherewith they were incloſed?* He anſwered, *I, who have worſhipped them through fooliſhneſs.* And preſently renouncing his *Superſtition*, he demanded *Arms* and an *Horſe* of the King, (* which by their old Law Prieſts might not uſe:) which being granted him, he mounted the Horſe, with a Sword and Lance in his Hand, and riding to the Idols thus armed (the people deeming him to be mad) prophaned the Temple, and commanded his Companions to deſtroy and burn it, with the Idols, and all the Hedges about it, which they did. *Whereupon the King, with his Nobles, and very many of the people, embraced the Chriſtian Religion, and were baptized by* Paulinus, in the Church of St. *Peter* at *York*; (which the King there ſpeedily commanded to be built of Wood, and afterwards enlarged) ordaining *Paulinus* Biſhop of that place, who converted, baptized him and his people; as *Beda* and others more largely record the Hiſtory. From which memorable preſident we may obſerve theſe particulars.

* *Fox Acts and Mon. Vol. 1. p. 156.*

1. That the King himſelf could not then alter the eſtabliſhed Laws or received Religion of this Realm, though falſe; nor introduce new Laws, or ſet up the true Religion, without the concurrent Aſſent of his Nobles and Wiſemen in a general Parliamentary Council

2. That the Princes, Chief Prieſts, Nobles, and Aldermen of the Realm, were the Parliament Members in that Age.

3. That every one of them in theſe Councils had freedom of Vote and Debate; and gave their voices ſeverally, for the bringing in of Chriſtianity, and deſtruction of Idolatry.

(i) *De Gestis Regum Anglor. l. 3. c. 2. p. 18. See Fox Acts and Mon. vol. 1. p. 157.*

(i) *William of Malmesbury* gives this Character of this Kings Government, after he became a Christian, and of the vicissitude of humane affairs, worthy our present observation, he being suddenly slain in battle, together with his Son, after all his former conquests and felicity.

'Nullus tunc *Prædo Publicus*, nullus latro domesti-
'cus, insidiator conjugalis pudoris procul; **Expiator**
Proposition 4. '**alienæ Hæreditatis erat**: Magnum id in ejus laudi-
'bus, & nostrâ ætate splendidum. Itaque Imperii sui,
'ad eos limites incrementa perducta sunt, ut *Justitia*
'& *Pax* libenter in mutuos amplexus concurrerent os-
'culorum, gratiam grata vicissitudine libantes; & *feli-*
'*citer tunc Anglorum Respublica procedere potuisset*, ni-
'si mors immatura, temporalis beatitudinis Noverca,
'turpi fortunæ ludo, virum abstuliset Patriæ. Ætatis
'enim 48. Regni 17. *Rebellantibus Regulis*, quos sub
'jugum miserat, *Ceadwalla Britonum*, & *Penda Mer-*
'*ciorum*, cum Filio interemptus, miserabile varietatis
'humanæ fuit exemplum: nulli prudentiâ inferior, qui
'nè Christianam fidem, nisi diligentissimè inspectatâ
'ratione, voluit suscipere, susceptæque nihil existima-
're comparabile,

Anno 673. (k) *Beda Eccles. Hist. l. 4. c. 5. Mat. westminst. & Florentius Wigornienses An. 673. Gervasius Doroberniensis. Actus Pontif. Cantuar. col. 1639. Matthew Parker Antiq. Eccles. Brit. p. 15. Spelmani Concil. p. 152, 153. Fox Acts and Mon. vol. 1. p. 161.*

Anno 673 (k) *Theodor* Archbishop of *Canterbury*, held a great *Council* at *Hertford*; presentibus Episcopis Angliæ, ac Regibus, & Magnatibus universis; *the Bishops of* England, *and Kings* (to wit, King *Lotharius* and *Easwine*) *and all the Nobles being present at it.* In this *Council*, they made *ten Canons* or *Laws*, *which they all subscribed and ratified with their hands*; the 7th. whereof was, *That a Synod* (or *Parliamentary Assembly*) *should be assembled twice*, or (because divers causes hindred) **placuit omnibus in commune**, *they all agreed in* **common**, *that in the Calends of August, in a place called* **Clovesho**, **a Synod should** *be congregated, at least once every year.* The rest of them you may

Propositt. 5, 6.

peruse

peruſe in the marginal Authors at leiſure, being meerly Eccleſiaſtical, and not ſo pertinent to my Diſcourſe.

(l) *Ceadwalla* King of the *Weſt-Saxons*, In the year of our Lord 680. granted to Biſhop *Wilfrid* certain Lands, with their appurtenances, called *Pagaliam*; *cum conſenſu & devotâ confirmatione omnium Optimatum meorum*; with the conſent and devout confirmation *of all his Nobles* (aſſembled in a Parliamentary Council) the grant of his Crown Lands to him, being not valid to bind his Succeſſours without his Nobles concurrent confirmation.

Anno 680. (l) *Evidentiæ Eccleſiæ Chriſti. Cantuar. col.* 2207. *Propoſ.* 10.

(m) *William of Malmesbury* writes of him; *That though before his converſion unto Chriſtianity, he addicted himſelf to wars, and to plunder and ſpoil his neighbouring Kings*; yet he conſcientiouſly dedicated the tenth of all his ſpoils to God. *Inter hæc arduum memoratu eſt, quantum etiam ante Baptiſmum inſervierit pietati, ut* omnes manubias *quas* jure prædatorio, *in ſuos uſus tranſcripſerat*, Deo Decimaret. *In quo, etſi approbamus, affectum, improbamus exemplum; juxta illud; Qui offert ſacrificium de ſubſtantia Pauperis, quaſi qui immolat filium in conſpectu patris.*

(m) *De Geſtis regum Angl. l.* 1. *c.* 2. *p.* 14. *Mr. Seldens Hiſtory of Tithes, c.* 10. *ſect.* 1. *p.* 269.

If all the *Plundering, warring Saints* of this Age would imitate his example, *in giving the Tenths of all their ſpoils and plunders to God & his Miniſters*, inſtead of ſpoiling them of their *Tithes* and antient *Church-Revenues*, men would deem them as good Saints as this plundering conquering *Saxon* King, of whom it is likewiſe ſtoried, that (n) *before he turned Chriſtian, intending to invade the Iſle of Wight, and unite it to his Kingdom; he vowed to give the 4th. part of the Iland, and Prey, to Chriſt, if he ſhould vanquiſh it*: Whereupon he *conquering the Iſle, ſlew the Natives in it, being Pagans, with a Tragical ſlaughter; and in performance of his vow,*

(n) *Beda Eccleſ. Hiſtoriæ l.* 4. *c.* 16. *Camdens Britannia. p.* 275. *Thomas Stubs Actus Pontif. Eboracenſium col.* 1891. *& Malmesbury de Geſtis Pontificum Anglie. l.* 3. *in wilfrido. Chron. Joban. Bromton, col.* 742. 757. *Spelman. Concil. p.* 181. *Speeds Hiſt. p.* 227.

gave

gave to Bishop Wilfrid and his Clerks (for their maintenance and encouragement) *the possession of* 300 *I*-Hides of Land, *being the fourth part thereof.* When our new Conquerours shall be so bountifull in bestowing the fourth (or but the tenth) part of all the pretended *conquered Lands* they have gotten on *Christs Church and Ministers*, instead of invading and purchasing *the Churches antient Lands, Glebes, Tithes* and *Inheritance*, they may demerit the Name and praise of *Saints*, as well as *Ceadwalla*; who, before he came to the Crown, *as he was unjustly banished from his Country, through the envy of others, only for his vertues and worthiness*, which first caused him to take up armes and invade the *South-Saxons*, two of whose *Kings* he slew successively in the field, after which he twice invaded, and afflicted *Kent* with grievous wars (taking advantage of their civil discords) *wherein he shed abundance of Christian blood:* So when he had reigned but two years space, after all his victories, out of meer devotion, he voluntarily left his *Crown, Kingdom, Conquests*, and went in Pilgrimage to *Rome* (where he was baptized) to bewail and expiate the guilt of all his former *wars, bloodshed, plunders, rapines*, perplexing his Conscience, and there died.

An. Dom. 616. The first *Charter* and grant I find extant of any Lands given to the Church, after those of *Ethelbert* King of *Kent*, forecited, is that of (o) King *Eadbaldus* his Son and successour, *Anno Dom.* 616, who being by Gods mercy, through the admonition of Archbishop *Lawrence* converted from *the pravity of his life*, for the *Salvation of his soul, and hope of a future reward, gave to Christ-Church in* Canterbury, *and to the family serving God in that Church, his Lands called* Edesham, *with the Fields, Woods, Pastures, and all things thereunto of right appertaining, free from all secular services, & Fiscal tributes; except these three; Expedition, Building of Castles and Bridge.*

(o) *Evidentiæ Ecclesiæ Christi Cantuar. col.* 2207. *Propos.* 1. 10.

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The next in time, is the (*p*) Grant of *Lotharius* King of *Kent*, *Anno* 679. of certain Lands in the *Isle of Thannet*, to the Monastery of *Raculph*, free *from all secular services, except these three, Expedition, Building of Bridge and Castle:* To which I might annex these ensuing Grants and Charters, which I shall only name; The Grant of King *Egfrid*, and his Queen *Etheldrida*, of *Hestodesham* to Bishop *Wilfrid*, Anno 674.

The Charter and Grant of *Ceadwalla* aforesaid, and *Kendritha* his wife (of 4 plough-Lands to Archbishop *Theodor*, and the Family of *Christ-Church* in *Canterbury*, free from all *secular services, but those* 3 *forementioned*) An. 687. of *Withrid* King of *Kent*, Anno. 694, of King *Offa*, An. 774. of King *Edmund*, An. 784. of King *Kenewlfe*, An. 791, 814, 815, 822. of King *Wilof*, An. 829. of King *Athulfus*, An. 832, 833, 834. of King *Ethelstan*, An. 927, 940. of King *Edred*, An. 941, 948, 949. of King *Egered*, An. 979, 980. and of King *Cnute*, An. Dom. 1016. To pretermit others of this kind.

All which Grants being for the most part, only of their own *private Lands* gotten by *Purchase*, or *Conquest*, not of the Lands, or Demesnes of their Crowns, passed by their own *Charters alone*, without any confirmation or assent of their Nobles in a Parliamentary Council, not mentioned at all in them. But no grants of any Lands, Rents or Revenues of their Crowns, to pious or other uses, were then either valid in Law, or obligatory to their successors, without common consent and ratifications of their Nobles in Parliamentary Councils, which for this reason is still mentioned in all their Charters and donations of such Lands and Rents to pious uses. Neither could they exempt those Lands from any of these three forenamed publick charges (for the common defence and benefit of their Realms) by their own royal Charters alone, unless ratified by the *Nobles* in their great *Councils*. Whereupon in all these forecited Charters, and other

An. 679.

(*p*) *See Chronica VVil. Thorne, & Evidentiæ Ecclesiæ Christi Cantuar. col.* 2207. 2225. where all these Grants and Charters are recorded; *& Monasticon Anglicanum*, published by Mr. *Doddeswel, &c.* since this was penned,

Propost 1. 10.

ther grants of Lands by particular persons, ratified by these Kings, they exempted them only *from all secular services, exceptis Expeditione, Pontis & Arcis constructione*, which they could not discharge them from, but by special Grants in General Parliamentary Assemblies, as subsequent Presidents will more fully demonstrate.

Anno 685. (q) *Simeon Dunelmensis Historia Dunel. Ecclesiæ, l. 4. col. 57, 58. Gervasius Dorobernensis, Actus Pontif. Cant. col. 1639. Florentius Wigorn. An. 684. p. 254. Godwins Catalogue of Bishops in the life of Cuthbert.*

(q) *Theodor* Archbishop of *Canterbury*, Anno 685. held a Council at *Twyford*, in the presence of *Egfrid* King or *Northumberland*, who going in person to St. *Cuthbert* (when as he neither by Letters nor Messengers could be drawn out of his Iland *Lindesfarne* to the Synod) brought him to it much against his will: where; *by the command of all the Synod, he was constrained to take upon him the Office of a Bishop*: Whereupon King *Egfrid* by the *advice of Archbishop Theodor, Bishop Trumwin, & totius Concilii*, and of *the whole Council*, for the salvation of his and his successors souls, by his *Charter* gave to St. *Cuthbert and all his successors, the Village called* Creic, *and* 3 *mile in circuit round about it, together with the City called* Lugabadia, *and* 15 *miles circuit round about it, to have to him and his successors, for the service of God for ever, as freely and quietly as he himself enjoyed them, and to dispose thereof at his pleasure*; which Charter the *Arch-Bishop and Bishops present in the Conncil, confirmed with their Subscriptions.* What other *Councils* and *Synods* were held under this Arch-Bishop *Theodor* at *Hartford, Cloveshoo,* * *Heathfield*, (or *Hatfeild*) and what Canons were made in them, *for the confirmation of the Christian faith, the* 5 *first General Councils, &c.* you may read at leisure in *Gervasius, Dorobernensis, Matthew Parker*, and *Godwin* in his life, where they are recorded; and in *Matthew Westminster, An.* 880. *Chronicon Johannis Bromton, Col.* 741, 756, 799, 780. *Radul. de Diceto Abbreviationes Chronic. Col.* 441. *Chronica Wil. Thorne, col.* 1770, *Henry Huntindon, Historiarum lib.* 3. *p.* 335, *Spelmanni Concilia,*

Propositi. 10.

* *Ethelwerdus Hist. l. 2. c. 8. calls it Letlege.*

lia, p. 152. *Beda Eccleſiaſtica Hiſtoria*, l. 4. c. 5, 17, 18. Mr. *Fox Acts and Monuments* vol. 1. p. 160, 161. To which I ſhall refer you.

About the year of Chriſt 692. (*r*) *Ina* King of the *Weſt-Saxons*, who ſucceeded *Ceadwalla*, by the exhortation and advice of *Cenred* his Father, *Hedda* and *Erkenwald* his Biſhops, and of all his *Aldermen* (or Senators) and of all the Elders and Wiſemen of his Realm, in a great Aſſembly of the Servants of God, for the ſalvation of his peoples ſouls, and the common conſervation of his Realm, Enacted ſundry Eccleſiaſtical and civil wholſom Laws, that by them juſt judgements might be founded and eſtabliſhed, throughout his Dominions, and that from thenceforth it might be lawfull for no Alderman, Senator, or other perſon living within his Realm, to aboliſh theſe his Laws; tending all to advance Piety, Juſtice, Peace, and preſerve his people from violence, rapine, oppreſſion, and all Puniſhments, Taxes, Fines, but ſuch only as were impoſed, aſcertained by his Laws and Parliamentary Councils, as you may read at large in the Laws themſelves, eſpecially *Lex* 2, 3, 4, 6, 9, 10, 11, 16, 17, 51, 73, 74.

Anno 692. (*r*) *Chron. Iohannis Bromton col.* 759. *to* 767. *Lambardi Archaion. Spelmanni Concil. Tom.* 1. *p.* 122. *to* 136. *Mr. Seldens Titles of Honour p.* 632. *Fox Acts and Monuments, vol.* 1. *p.* 164. *Propoſit.* 1, 2, 4, 5.

In the year 694 (*s*) *Withred* King of *Kent* ſummoned *Brithwald* Archbiſhop of *Canterbury*, *Toby* Biſhop of *Rocheſter*, with the *other Abbots*, *Abbeſſes*, *Prieſts*, *Deacons*, *Dukes* and *Earls* to a *great Council* at *Beccanceld* (or *Baccanceld*, as others write it) where *conſulting all together concerning the State of the Churches of God within that Realm, how they might eſtabliſh and perpetuate to them to the end of the World, thoſe Lands and Revenues which their pious Kings and Anceſtors had granted and appropriated to God and his Church, as their perpetual inheritance, without ſubſtraction or diminution*, They thereupon *enacted*, *decreed*, *and in the name of God Almighty commanded*, that all their ſucceſſours, *both Kings and Princes, with all other Laymen whatſoever*,

Anno 694. (*s*) *William Thorne Evidentiæ Eccleſiæ Chriſti Cantuar. col.* 2208. *Spelm. Concil. p.* 189. *to* 199. *Propoſit.* 4, 6, 10.

ver, should not invade the Rights, Lands or Dominions of the Churches, which they then confirmed; nor presume to violate the Privileges granted to them, and specially by king Withreds Charter, which they ratified in this Council with all their subscriptions; wherein he and they exempted Churches from all secular services and Tributes, but such as they should voluntarily and freely render without compulsion, which should not be drawn into custom to their prejudice; witness this Clause of the Charter, and exemption then confirmed; & **ab omni debito vel pulsatione Regalium Tributorum,** nisi suâ spontanea voluntate, ex largitate beneficiorum quid facere velint; tamen hoc imposterum non servetur, nec habeatur in malam consuetudinem.

Anno 697. (t) Spelm. Concil. p. 194. Proposit. 5.

The same (t) King *Withred*, in the Parliamentary Council of Berghamsteed, Anno 697. by the advice and common consent of his Bishops, and other Ecclesiastical Orders, cum viris quibusdam militaribus; enacted sundry Ecclesiastical and civil Laws, to be added to the former Laws and customs of Kent: the first whereof is this, That the Church shall be free, and enjoy her Judgements, Rents, and Pensions.

Anno 700. (u) Spelm. Concil. p. 198. Evidentiæ Eccles. Christi, Cant. col. 2208, 2209. Antiqu. Eccles. Brit. p. 34, 35. Proposit. 1, 10.

And (u) Anno Dom. 700. this king *Withred*, una cum consensu Principum meorum, together with the consent of his Nobles and Bishops (who subscribed their names to his Charter) granted to the Churches of God in Kent, that they should be perpetually freed **ab omni exactione publica tributi, atque dispendio vel læsione,** à præsenti die & tempore, &c. From all publick exaltion of Tribute, and from all dammage and harm: rendring to him & his posterity, such honour and obedience as they had yeelded to the Kings his antecessors; under whom Justice and Liberty was kept towards them.

Anno 678. to 706. (x) Will. Malmes. de Gest. Pontif. Angl. l. 3. p. 264. to 269. Chron. Iob. Brompt. col. 791, 792, 793, 794. Sim. Dunelm. de Archiepis. Ebor. col. 78. Spelman. Concil. p. 200. to 206. Mat. Parker, Tho. Stubs, Godwin in the lives of Archbishop Theodor, Wilfrid, and Brithwald. Mat. Westm. Anno 692, 711. Hist. Anglicanæ Scriptores antiq. An. 1652, col. 78, 294, 295, 296, 440, 441, 1691, 1741. Fox Acts and Monuments, vol. 1. p. 160, 161.

About the year of our Lord 678. (x) *Wilfrid* Arch-

Propos. 2, 4, 5, 7.

biſhop of *York* being in a *Council* unjuſtly deprived of his Biſhoprick by *Theodor* Archbiſhop of *Canterbury*, who envied the greatneſs of his Wealth, Power, and Dioceſs, which he would and did againſt *Wilfrids* will, in that Council divide *into* 2 *more Biſhopricks*, was after that time *exiled the Realm*, through the malice of *Egfrid* king of *Northumberland*, and *Emburga* his Queen, (whom he would have perſwaded to become a Nun, and deſert her Husband, as ſome Authors write, and others deny in his favour) *without any juſt and lawfull cauſe*; and after that about the year 692. being *again deprived of his Biſhoprick and right by the Judgement and ſentence of another Council* held under *Aldrid* king of *Northumberland*, and *Bertuald* Archbiſhop of *Canterbury*; he thereupon made *two ſucceſſive appeals to Rome againſt their two unjuſt ſentences*, as he conceived them: The firſt to *Pope Agatho*, and a *Council of* 150 *Biſhops*, held under him; who decreed, he *ſhould be reſtored to his Biſhoprick and make ſuch Biſhops under him* (*by advice of a Council to be held by him*) *as he ſhould deem meet*; with which *decree* againſt his firſt ſentence, he returning from *Rome* to king *Egfrid*, to whom he delivered it, *ſealed with the Popes Seal*; the king upon ſight and reading thereof, in the preſence of ſome of his Biſhops, *tantùm à reverentiâ Romanæ ſedis abfuit*, was ſo far from obeying this Decree of the Roman See, *that he ſpoiled* Wilfrid *of all his Goods and poſſeſſions, and committed him priſoner to a barbarous and cruel Governour; who thruſt him into a dark dungeon for many days; and after that committed him to another more cruel Gaoler than he, called Tumber, who endeavoured to put him into Fetters by the Kings command; which he could no ways faſten upon his Legs, but they preſently fell off again, through a Miracle.* Whereupon wickedneſs giving place to Religion, *he was looſed from his Bonds, detained in free cuſtody, and afterwards releaſed, but not reſtored.* After which, about the year 693. he *appealed a-*

gain to Pope John, against the proceedings of the *second Council*, which refused to *re-admit him to his Archbishoprick, unless he would submit to the decrees of Archbishop* Theodore, *and* Brithwald *his successor*; which he refused to do, *unless they were such as were consonant to the decrees of the holy Canons, which he conceived theirs not to be, because they would order him to condemn himself without any Crime objected to him.* Upon which appeal, this *Pope*, with his Bishops, *pronounced* Wilfrid, *free from all Crime, and ordered him to return to his Archbishoprick; writing Letters to* Ethelred *King of* Mercians, *and* Alfrid *King of* Northumberland *to restore him thereunto.* Alfrid *receiving the Popes Letters by* Wilfrids *Messengers, altogether refused to obey the Popes commands in this Case*; saying, 'Quod esset contrà rationem, homini jam bis 'à toto Anglorum Concilio damnato, propter quælibet 'Apostolica scripta communicare: That it was against reason, to communicate with a man already twice condemned by the whole Council of the English Nation for any writings of the Pope (so little were the Popes authoritie and decrees then regarded in *England*, contradicting the kings and English Councils proceedings) *neither would he restore him all his life.* After his death *Edulfe* usurping the Crown by Tyranny, *Wilfrid* repaired to him to restore him to his Archbishoprick, upon this account of the Popes Letters; Whereupon *he was so inraged with him for it*, though formerly his great friend, *that he presently commanded him to depart the Realm forthwith, unless he would be spoiled of all his goods, and cast out of it with disgrace.* But this Usurper being deprived both of his Realm, Crown, and Life, in little more than 3 Months space, and *Osred* son of king *Alfrid*, being restored to the Crown *by the Nobles, as right heir thereunto*; at last *Wilfrid* was re-invested in his Bishoprick by the decree of a *Council* held under him in *Northumberland*, at a place called *Nidden*, An. 705. not so much in obedience to the *Popes* command,

Propositi. 7.

Anno 705.

as

as king *Alfrids*, attested by *Elfleda* his Sister, then Abbess of *Streneshash*; witness these words of *Berfride*, 'Ego jussionibus Papæ obediendum censeo, præsertim 'cum eorum robori, accedat Regis nostri *Jussio* & nostræ necessitatis sponsio, &c. Puer in Regem levatus, 'hostis abactus, Tyrannus extinctus; est igitur Regiæ 'voluntatis ut Episcopus *Wilfridus* revestiatur. Upon which he was accordingly restored: whereupon all the Bishops embraced him, and reconciled themselves to him.

This Bishop *Wilfrid* procured to the Church of *Hagustald*, which he founded, and was Bishop thereof, many *privileges*, and that for one miles circuit round about, none should be arrested going or coming, but injoy inviolable peace. 'Quod institutum authori- *Propositi.* 10.
'tate & privilegiis Romanæ sedis Apostolicorum, & 'Archiepiscoporum, & Episcoporum, & Regum & Prin- [y] *De Stat. & Episcopis Hagustaldensis Ecclesiæ, l.* 1. *c.* 5. *col.* 292.
'cipum tam Scotiæ quam Angliæ confirmatum est. Quod 'si aliquis [y] temerarius infringere audebit, & 'magnæ pecuniæ damno obnoxius erit, & perpetuo 'Anathematis gladio ab ecclesiâ seperabitur; as *Richard Prior* of *Hagustald* records.

Anno Domini 708 [z] *Egwin* Bishop of *Worcester*, procured king *Kenred* and *Offa* by their Charters, to grant and confirm many Lands and Privileges to the *Abbey of Evesham*; which Pope *Constantine* likewise ratified by his subscription at *Rome*, as well as these kings, in the presence of many *Archbishops*, *Bishops*, *Princes and Nobles of divers Provinces*, who commended and approved their Charters and Liberality. In pursuance whereof, *Pope Constantine* writ a Letter to *Brithwald* Archbishop of *Canterbury*, to summon *Concilium totius Angliæ*, a Council of all *England*, to wit, of the *Kings*, *Bishops*, *Religious persons of Holy Orders*, Optimatesque Regni cum proceribus suis, *with the Nobles and great men of the Realm*; *who being all assembled together in the name of the Lord*; *The* Archbishop *should* *An.* 708, 709, 712. [z] *Antiqu. Ecclesiæ Brit. p.* 20. *Baleus script. Brit. centur.* 1. *c.* 91, 94, 99. *Centur. Magdeb.* 8. *c.* 9. *Spelm. concil. p.* 209. *to* 217. *Propositi.* 5, 6, 10.

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in their presence, read the Charters of these Kings and the Popes confirmation of them, that they might be confirmed by the favour and assent of the Clergy and the people, and consecrated with their Benediction. Whereupon king *Kenred* and *Offa*, after their return from *Rome*, assembled a *General Council* in a place called *Alne*, where both the Archbishops *Brithwald* and *Wilfrid*, with the rest of the *Bishops*, *Nobles*, and these *two Kings* were *present*: wherein, Donationes omnes confirmatæ sunt, *all these their Donations and Charters were confirmed*; and likewise in another *Synod* at *London*, An. 712. A most pregnant evidence, that these kings Charters and Donations, though ratified by the *Pope* himself, were not valid nor obligatory to their successors or people, without their common consent to, and confirmation of them in a general Parliamentary Council of the Prelates, Nobles, Clergy and Laity, even by the Popes and these kings own confessions and practice in that age.

An. 716. [*a*] *Ingulph. Hist. p.* 851, 852.

In the year of our Lord 716. [*a*] *Ethelbald* king of *Mercians*, by his Charter *gave to God, the blessed Virgin, Saint Bartholomew & Kennulphus*, the whole Isle of *Croyland*, to build a *Monastery*; and confirmed it to them for ever, *free from all Rent and secular services*; & inde Chartam suam in præsentia **Episcoporum, Procerumque Regni sui securam statuit**; *all his Bishops and Nobles of his Realm assenting to, and ratifying this Charter of his, both with the subscriptions of their names, and sign of the Cross, as well as the King*; that so it might be firm and irrevocable, being his demesne Lands, which Charter is at large recorded in the History of *Ingulphus*.

Propositi. 10.

An. 720. [*b*] *Leges Ed. Confessoris c.* 25. *Spelmanni Concil. p.* 219. *See Polychronicon, l.* 5. *c.* 28. *Mat. Westminst. An.* 586.

About the year of Christ 720. [*b*] some (fabulously) write, that king *Ina* took *Guala* daughter of *Cadwallader*, last king of the *Britons* to wife, with whom he received *Wales* and *Cornwal*, and the *blessed Crown of*

Bri-

Britain. Whereupon, *all the Engliſh that then were, took them wives of the Britons race*, and *all the* Britons *took them wives of the illuſtrious blood of the* Engliſh *and* Saxons, which was done, **Per commune Concilium et aſſenſum omnium Epiſcoporum ac Principum, Procerum, Comitum, et omnium Sapientum, Seniorum, et populorum totius Regni,** (aſſembled together in a General Parliamentary Council) **Et per præceptum Regis Inæ**; *whereby they became one Nation and People:* After which, they all called that, *the Realm of England*, which before was called, *the Realm of Britain*, and they all ever *after ſtood together, united in one, for common profit of the Crown of the Realm, and with a unanimous conſent moſt fiercely fought againſt the* Danes *and* Norwegians, *and waged moſt cruel wars with them, for the preſervation of their Country, Lands and Liberties.* *Propoſit. 5, 6.*

An. 705. King [c] *Ina* by his Royal Charter, granted and confirmed many Lands to the Abbey of *Glaſtonbury*, endowing that Abbey and the Lands thereto belonging, *with many large and great Privileges, exempting them from all Epiſcopal Juriſdiction, and from all regal exactions and ſervices, which are accuſtomed to be excepted and reſerved*; to wit, *from Expedition and building and repairing of Caſtles or Bridges*; *from which they ſhould inviolably remain free and exempted, and from all the promulgations and perturbations of Arch-Biſhops and Biſhops*: which privileges were formerly granted and confirmed by the ancient Charters of his Predeceſſors *Kenewalcus*, *Kenwin*, *Ceadwalla* and *Baldred*. This Charter of his was *made and ratified by the conſent and ſubſcription, not only* of king Ina *himſelf*; but alſo of Queen *Edelburga*, king *Baldred Adelard*, the *Queens Brother*. **conſentientibus etiam omnibus Britanniæ Regibus, Archiepiſcopis, Epiſcopis, Ducibus, atque Abbatibus,** *all the Kings, Archbiſhops, Biſhops, Dukes, and Abbots of Britain, conſenting likewiſe thereunto*; ma- *Anno 725.* [c] *Spelman. Concil. p. 227, 228, 229. &c. Chron. Johan. Bromton. col. 758. & Monaſticon Angl. Propoſition 6, 10.*

ny of which subscribed their names unto it, being assembled in a Parliamentary Council for that end.

An. 727. [d] Matthew Westminst. An. 727. p. 765. Propost. 1, 5. 6.

King [d] *Ina*, In the year 727. travelling to *Rome*, built there a school, for the *English* to be instructed in the faith; granting towards the *maintenance of the English Scholars there, a penny out of every house within his Realm*, called *Romescot*, or *Peterpence*, *to be paid towards it every year*. All which *Things and Tax*; **That they might continue firm for perpetuity**, Statutum est generali decreto, &c. *were confirmed by a general decree of a Parliamentary Council of his Realm*; then held for that purpose; of which [e] before more largely.

[e] Part. 2. p. 71.

An. 742. [f] Evidentiæ Eccles. Christi Cantu. col. 2209. Spelmanni Concil. p. 230, 231. Antiqu. Eccles. Brit. p. 21. Propost. 5. 10

In the year of our Lord 742. There was [f] a *Great Parliamentary Council* held at *Cloveſho* (or *Clyffe*) where *Ethelbald* King of *Mercia* sate *President*, with *Cuthbert* Archbishop of *Canterbury*; *the rest of the Bishops sitting together with them, diligently examined things necessary concerning Religion, and studiously searched out of the antient Creeds and institutions of the holy Fathers, how things were ordered according to the rule of equity in the beginning of the Churches birth in* England; whiles they were inquiring after these things, and the antient privileges of the Church, at last there came to their hands, the *Liberty and Privileges which King* Withred *had granted to the Churches in* Kent: *which being read before all, by King* Ethelbalds *command*; *they were all very well pleased therewith*, and said unanimously, *That there could not be found any so noble and so prudent a Decree as this, formerly made, touching Ecclesiastical Discipline*; and *therefore*, **Hoc ab omnibus firmari sanxerunt**, *decreed that it should be confirmed by them all.* Whereupon King *Ethelbald* for the salvation of his soul *and stability of his kingdom*, *confirmed* and subscribed with his own munificent hand, *That the Liberty, Honour, Authority, and security of Christs Church in all things, should be denied by no person, but that it should be free from all secular services, with all the lands pertaining thereunto*

unto, except Expedition and building of Bridge and Caſtle. And like as the ſaid King *Withred* himſelf *ordained, thoſe privileges ſhould be obſerved by him and his,* ſo he and this Council commanded, *they ſhall continue irrefragably and immutably in all things. And if any of our Succeſſors, Kings, Biſhops, or Princes ſhall attempt to infringe this wholſom Decree, let him render an account to Almighty God in that terrible day; But if any Earl, Prieſts, Clerk, Deacon* or *Monk ſhall reſiſt this Decree, let him be deprived of his degree, and ſequeſtred from the participation of the body & blood of the Lord and alienated from the kingdom of God, unleſs he ſhall amend with due ſatisfaction, what he hath unjuſtly done, through the evil of Pride.*

[g] Anno 747. There was another *Parliamentary Council* held at *Cloveſho*, or *Clyffe*, under king *Ethelbald*, where the king himſelf, with *Cuthbert*, Archbiſhop of *Canterbury*, eleven other *Biſhops*, **cum Principibus et Ducibus**, with the Princes and Dukes, *were preſent.*

An. 747. [g] *Ingulph. Hiſtor. p. 853. will. Malmsb. de geſt. Reg. l. 1. c. 4. p. 29. Antiqu. Eccl. Bri. p. 22. Spel. Conc. p. 242. to 258. Mat. weſtm. An. 748. Malmesb. de geſtis Pont. l. 1. in Cuth. p. 197. Proposit. 1, 5, 12.*

In this Council *were ſome Eccleſiaſtical Laws* and *Canons* made, the laſt whereof was, *for Prayers to be publikely made for Kings and Princes inceſſantly; that the People might live a Godly and peaceable life under their pious protection.* In this *Council* king *Ethelbald* renewed and enlarged his *former Grant of Privileges to the Churches*, recited at large in the *Marginal Authors*, the ſum whereof is this,

'Plerumque contingere ſolet, pro incertâ futurorum 'temporum viciſſitudine, ut ea quæ prius multorum 'fidelium perſonarum teſtimonio conſilioque roborata 'fuiſſent, ut fraudulenter per contumaciam plurimorum '& machinamentis ſimulationis, ſine ullâ conſidera-'tione rationis, periculoſè diſſipata eſſent, niſi auc-'toritate Literarum, & teſtimonio Cyrographorum æ-'ternæ memoriæ inſerta ſint. Quapropter Ego *Ethel-'baldus* Rex *Merciorum*, pro amore cæleſtis patriæ, 'hanc donationem me vivente concedo; ut omnia

'*Monasteria* & Ecclesiæ Regni mei, *A publicis vectigalibus, & ab omnibus operibus, oneribusque absolvantur, nisi in institutionibus Arcium vel Pontium, quæ nulli unquam possint laxari*, (as *Ingulph.* renders it, or as other Copies; '*nisi sola quæ communiter fruenda sint, omniq; populo edicto Regis, facienda jubentur, id est, institutionibus Pontium, vel necessariis defensionibus Arcium contra hostes, non sunt renuenda:*) *Sed nec hoc prætermittendum est, cum necessarium constat Ecclesiis Dei.* Præterea habeant famuli Dei propriam Libertatem in proficuis Sylvarum, in fructu Agrorum, in captura piscium; *nec munuscula præbeant Regi, vel Principibus, nisi voluntaria, sed liberi Domino serviant, in contemplatione pacificâ, per totum regnum meum usq; in ævum.* Sed cunctas tribulationes quæ nocere vel impedire possint in Domo Dei, *omnibus Principibus* sub meâ potestate degentibus, *demittere & auferre præcipio*; Quatenus sublimitas Regni mei prosperis successibus polleat in terris, & meritorum manipuli multipliciter matureſcant in cœlis. Qui verò hæc benigna mentis intentione atque in-læsâ cogitatione custodierit, æternâ claritate coronetur, ornetur, glorificetur; Si quis hoc, quod absit, cujuslibet personæ *tyrannica cupiditate instinctus*, contrà hanc donationis chartulam sæculari potentiâ fretus venire nititur, sit sub Anathemate *Judæ Proditoris* Domini nostri Jesu Christi. **Ad confirmandum** verò hoc nostræ beneficentiæ munus, Hi Testes adfuerunt, & **Nostri Magistratus, Optimates, et Duces, fidelissimique amici concesserunt et scripserunt**: Then follow the subscriptions of the King, Bishops and Nobles, with, *Ego hu Statutis consentiens subscripsi, confirmandoque signum crucis aravi.*

[*b*] *Chron. W. Thorne, c. 3. sect. 7. col. 1771.*

In this [*b*] *Council*, amongst other *Synodal Decrees* subscribed by the *Bishops*, It was *decreed*, That the *Feasts* of St. *Gregory* the *Pope*, and St. *Augustine* the English Apostle, *should be perpetually observed with great-*

Proposition 5. *est solemnity*, King *Ethelbald*, **with his Nobles**, being

being there present, and approving it.

In the year of Grace 752. *Cuthred* king of the *West-Saxons* being unable to endure the proud **Exactions and insolencies** of king *Ethelbald*, for vindication of his own and his peoples Liberty from his oppressions, raised an *Army*, and fought a bloody *Battel* with him at *Beorford*; where through Gods assistance (who giveth grace to the Humble, and resisteth the Proud) he routed him and his whole Army, and after, *An.* 755. slew him in a second battel (he disdaining to fly) by the Treachery of *Bernred*, his Captain, the chief Author of his death.

Anno 752. [i] *Matthew Westm. p.* 273. *Chron. Johannis Bromton, col.* 769, *Huntindon. Hist. l.* 4. *p.* 341. *See Holinshed, Speed, Grafton in their lives, Wil. Malmesbury de gest. reg. l.* 1. *c.* 4. *p.* 28. *Proposit.* 1, 2, 4.

King [i] *Cuthred* deceasing, *Sigibert* his kinsman who succeeded him, growing *insolent and proud by his Predecessors great successes*, became *intollerable to his Subiects*, treating them very ill in *every kind*, **Depraving or altering the Laws of his Ancestors, for his own private Lucre, and exercising exactions and cruelties upon his Subjects, setting aside all Laws.** Whereupon his faithfull Counsellor Earl *Cumbra*, lovingly admonishing him *to govern his people more mildly and justly, that so he might become amiable to God and men*; he was so incensed with him, that *he commanded him most wickedly to be slain, and became more cruel and Tyrannical to his people than before.* The Peers and Commons hereupon seeing **their Laws and Liberties thus violated**, and their **Estates and Lives every day in danger**, *being incensed into fury, assembling themselves together, did all unanimously rise up in Arms against him and upon mature prudent deliberation*, **by the unanimous consent of all, expelled him the Kingdom for his Tyranny and mis-government.** Upon which *Sigebert* flying into the woods for shelter, like a forlorn person, was there slain by *Cumbra* his Swine-herd, in revenge of his Masters murder. *Florentius Wigornensis* relates, that after his expulsion from the *Realm* by the **Nobles, for the multitude of his unjust deeds**; Kenulphus

Anno 756. [k] *Matthew Westminst. An.* 756. *p.* 274. *Chron. Johan. Bromton, col.* 770, 796. *Wil. Malmesb. de Gest. Reg. l.* 1. *c.* 2. *p.* 15. *Hen. Huntindon, Hist. l.* 4. *p.* 341, 342, *Florent. Wigorn. An.* 755. *p.* 274. *Polychron, l.* 5. *c.* 25. *Capgrave, Fabian Holinshed, Speed, Grafton in his life, and the life of Kenulphus, Hoveden, Annal. part prior. p.* 408. *Propos.* 1, 2, 4.

nulphus, *allotted him the County of* Hampshire *for his maintenance, until he slew Earl* Cumbra (such was the Charity and Humanity of those times, even to an expelled, deposed Tyrannical King, now quite out of date) with whom *Ethelwerdus, Hist. l. 2. c. 17.* and *Polychronicon, l. 5. c. 24.* accord. Some of our Historians (especially *Ethelwerdus* and *Wigornienſis*) relate; *that* Kenulphus *usurped the Crown by meer force of Arms, first drawing the Nobles and People to rise up against, and expell* Sigebert *for his exorbitant actions, and the multitude of his unjust deeds, and then usurping the Throne, being not of the blood Royal* (as *Malmesbury* relates) *though of a Noble family*: But they all [*l*] unanimously record, *that he came to a miserable end upon this occasion.* When he had reigned 31 years with honour and good success, *being puffed up therewith, and fearing lest* Kinearlus (Sigiberts Brother) who began to be potent, *should revenge his Brothers death upon him, and dispossess him or his posterity of the Crown, he banished and compelled him to depart his Kingdom.* Who thereupon giving way to the time, voluntarily fled out of his Dominions. But soon after secretly drawing together (through private Conventicles) a band of desperate men, he found an opportunity to fall upon *Kenulphus*, when he *went with a few followers to visit his Paramore at* Merton, *where he befetting the House round, slew the King, with all his followers.* The fame of which Act coming to his *Nobles* and *Souldiers* not far from the place, They upon *Exhortation* of *Esric*, the chiefest of them, *not to let pass the death of their Lord unrevenged, to their notorious and perpetual infamy*, furiously encountred *Kinewardus* and his Complices, *and notwithstanding all their fair promises of Mony, & preferments to them, and all intreaties, after a sharp bloody incounter, put them all to the sword, with the loss of some of their own lives.* 'Ecce quomodo Dei Iu-
Proposition 2. 'stitia, non solum futuro sæculo, verum etiam in isto,
Propos. 8. 'digna meritis manifesto judicio recompensat, &c. Add

[*l*] *Malmesb. de Gestis Reg. l. 1, c. 2. p. 16. Ethelwerdus Hist. l. 2. c. 17, 18. Hen. Huntindon, Hist. l. 4. p. 343. Mat. westm. An. 786. Sim. Dunelm. Hist. col. 110. Chron. Johan. Bromt. col. 770. Hoveden Annal. pars prior, p. 409, 410. Polychron. l. 5. c. 17. Fabian, Capgrave, Grafton, Holinshed, and Speed in his life. Florentius wigorn. p. 278. 279.*

Henry

Henry Huntindon, Roger Hoveden, John Bromton, Malm. esbury, and others, as a Corollary to this History of *Sigibert*; and *Kenulphus*. Which all Traitors, Tyrants and Usurpers treading in their exorbitant footsteps, may do well advisedly to consider.

In the year of our Lord 758. [m] The people of the Realm of *Mercia* rising up against their King *Bernred*, *because he governed them not by* **just Laws, but by Tyranny**: assembled all together in one, *as well* **Noble as Ignoble**; and *Offa* being their Captain, *they expelled him out of the Kingdom, and then, by the unanimous consent* **of all, as well Clergy as people, they crowned** Offa **King.** This *Bernred*, (as *Malmesbury*, *Speed*, and *Simeon Dunelmensis* write) *treacherously murthered King* Ethelbald *his Soveraign*, whose General he was, *and thereupon usurping his Throne, and turning a Tyrant*, (as most Usurpers do) *was in the very first year of his usurped reign, expelled the Realm, and soon after slain by* Offa; and so *dignum finem insidiarum tulit*, being *Authornecis* of his Sovereign, King *Ethelbald*, *à suis tutoribus fraudulenter interfectus*, as our Historians observe. A good Memento for other Traitors and Usurpers treading in his footsteps; 'Qui Regnum Tyran-'nus invasit, & per modicum tempus in parvâ lætitiâ '& jocunditate tenens, Regnum cum vitâ perdidit, as *Wigornienſis* writes of him.

An. 758. [m] *Mat. west.* An. 758. p. 274. *Vvil. Malmesb. de gest. reg. l. 1. c. 4. p. 28. Sim. Dunelm. Hist. col. 105. chron. Jo. Bromt. col. 770, 776, Hen. Huntind. Hist. l. 4. p. 342, 346. Hovedon. Annal. pars 1. p. 408. Speeds Chron. p. 254, 368. See Polyd. Fabian, Graft. Holinshed in his and Offa his life, Vvigorn. An. 755, p. 274.*

Prop. 1, 2, 4, 5.

The [n] English complaining to King *Offa*, in the year 775. of the *great exactions* in forein parts under *Charls* the Emperour, they being then at variance, *so as their trading and merchandize was every where prohibited in both their Realms*, thereupon King *Offa*, by gifts sent to the Emperour, obtained this Grant and Privilege from him for his Subjects. *That all Pilgrims passing through his Dominions to Rome for piety and devotion sake alone, should have free and peaceable passage without any molestation or Tribute. That all Merchants and others in the company of Pilgrims passing only for gain, not devo-*

An. 775. [n] *Mat. west.* p. 278, 279, 290. *Vvil. Malmesb. de gest. reg. l. 1. c. 4. p. 32. Spel. concil. p. 315.*

Propos. 1, 4.

tion,

tion, should pay only a certain established Tribute in fitting places. That all English Merchants and Traders should have lawfull protection, by his command, within his Realm, and if in any place they were vexed with unjust oppression, that upon complaint to him or his Judges, they should have full justice done unto them.

An. 780, 781 [o] *Mat. west. p.* 280. *Hen. Huntind. Hist. l.* 4. *p.* 346, 347. *Malmesb. de gest. reg. l.* 1. *c.* 3. *Hoveden Annal. pars prior, p.* 409. *Polychr. l.* 5. *c.* 17.

In the year 780. *Æthelred*, or *Adelred*, king of *Northumberland*, was deposed by his Subjects after he had reigned 3 years, and quite driven out of his Realm by his Nobles; who the next year after *assaulted and burnt a certain* Consull (or Earl) being *their justice in his own house*, **plus æquo sævientem**, *for tyrannizing beyond the Bounds of Law and Right.* I shall not insist upon the manifold Insurrections of these *Northumberlanders* against their kings, nor their disloyal depositions, expulsions, Murders of most of them, upon pretended oppressions and Exorbitancies in Government, rather than real: nor on the strange, general, bloody, frequent depredations, wars, devastations, Plagues, Judgements, Invasions by Danes, Normans, Scots, and others, inflicted justly on them for the same by Divine Justice, more than on all other parts of this I-land, since I have touched some of them [p] before, and shall glance at more of them hereafter; all which the studious may read at leisure, in *Maslmesbury*, *Huntindon*, *Hoveden*, *Æthelwerdus*, *Matthew Westminster*, *Bromton*, *Florentius Wigornienſis*, *Simeon Dunelmenſis*, *Radulphus de Diceto*, *Polychronicon*, *Holinshed*, *Speed*, and others: Only I shall give you the sum of them about this age in the words of *Simeon Dunelmenſis*, and *Richardus Hagulstaldenſis* [q]'s Crudelis exinde Barbarorum manus innumeris navibus in Angliam tram-

Propos. 1, 2, 3, 4.

[p] *Part.* 2. *p.* 56 to 64.

[q] *In Historia de exordio Christianitatis & Religionis totius Northumbriæ, & Richardus Hagustaldenſis, de Stat. & Epiſcopis Hagustaldenſis Eccleſiæ, col.* 300. *See Antiqu. Eccleſiæ Brit. p.* 32, 33, 34. *Sim. Dunelmenſis Hist. de Gestis Regum Angliæ, col.* 199. *Chron. Joh. Bromton, col.* 966. *Tho. Stubs Acta Pontif. Eboracenſium, col.* 1708. *Hen. de Knyghton de Event. Angl. l.* 2. *c.* 2. *Wil. Malmesb. de Gest. reg. l.* 3. *p.* 103. *Hen. Huntind. Hist. l.* 7. *p.* 306, *Rog. Hoveden, Annal. pars prior, p.* 451.

'transvecta, omnia quaqua versum depopulans, *Nor-*
'*thunhymbrorum* autem provincias **atrocius devastans,**
'omnes Ecclesias, omnia Monasteria ferro, & incen-
'dio delevit, adeò ut nullum pene Christianitatis
'signum post se discedens reliquerit. Monachi qui lo-
'ci reverentia confidentes remanserunt de Ecclesiâ
'extracti, alii in mare sub hostibus submersi, alii Cap-
'tivi abducti, alii detruncati, alii aliis tormentis mi-
'serabiliter affecti, omnes simul interierunt. Et indè
'prosiliens flammâ et ferro, in exterminium omnia
'duxit, &c. After which sad successive devastations for sundry years by the *Danes*, they were so totally depopulated, *and extirpated by Famine, Sword, and Pestilence* by the *Normans*, An. 1069. that *the whole* Country was *reduced into a desolate Wilderness, without an inhabitant, and lay untilled for nine years space; bestiarum tantum & latronum latibula*; being only Dens of Beasts and Theeves. And how many times it hath been wasted, depopulated with fire and sword since this, by the *Scots*, and what barbarous cruelties they have exercised therein, you may read in the Continuation of *Simeon Dunelmensis* by the Prior of *Hagustald*, *col.* 264. *in Historia Ricardi Prioris Hagustaldensis de Gestis Regis Stephani & bello Standardi*, *col.* 315, 326. and other Chronicles since that time. The Lord in Mercy divert the like judgements from that Northern part, and the whole kingdom now, for the like transgressions of a later date.

In the year of Christ 787. (as most account) [r] *Pope Adrian* sent Legates into *England*, to confirm the faith which *Augustine* had preached: who being honoura-

Anno 787.

[r] Hen. Huntindon Hist. l. 4. p. 343. *Matthew Westminster An.* 789. *p.* 281. *Antiqu. Eccles. Brit. p.* 26. *Cent. Magdeburg. Cent.* 8. *c.* 9. *Hoveden Annal. pars prior, p.* 410. *Florentius VVigorniensis, An.* 785. *Spelmanni Concil. p.* 292, to 395. *Malmesbury de gestis regum l.* 1. *c.* 4. *& de gestis Pontif. l.* 1. *p.* 198, 199. *Matthew Parker, and Godwin in the life of Jambert. Chronica VVil. Thorne, col.* 1774. *Gervasius Dorobern. Actus Pontif. Cant. col.* 1641. *Radulphus de Diceto Abbrevi. Chron. col.* 445. *Polychron. l.* 2. *c.* 17. *Propositi.* 5, 6.

bly received both by the Kings, Clergy, and People: thereupon held a great *Parliamentary Council* at *Calchut*, *Chalchuthe*, or *Cealtide* (as *Henry Huntindon* stiles it.) In this Council *Offa* king of *Mercians*, and *Kenulphus* king of *West-Saxons*, with all their *Ecclesiastical and secular* **Princes, Nobles, Elders, Bishops, Abbots**, *were present; who all subscribed and consented to the Ecclesiastical and Temporal Laws and Canons therein made and published, being 20 in Number*; The principle whereof relating to my Theam, I have formerly recited. In this Parliamentary Council King *Offa* caused *Egfrid* his eldest son, *to be solemnly crowned King, who from thenceforth reigned with him*, And in it *Jambertus* (or *Lambert*) Archbishop of *Canterbury*, much against his will, resigned part of his Arch-Bishoprick to the Arch-bishop of *Litchfield*, by the command and power of King *Offa*; who envying the power and Pride of the Archbishop of *Canterb.* deprived him in this *Council* (notwithstanding all *Jamberts* appeals to Pope *Adrian*) of all Lands and *Jurisdiction within his Realm of* Mercia, erecting a new *Arch-bishoprick* at *Litchfield*, to which he subjected all the Bishops of *Mercia*, (being then six in number) till by another Council they were reunited to *Canterbury*, after the decease of *Offa*.

Proposit. 5, 6.

Anno 788.

[s] *Hen Huntindon, Hist. l.* 4. *p.* 349. *Hoveden Annalium, pars prior, p.* 409. 410. *Florentius VVigornienſis, Anno* 781, 787, 788, 789. *Spelman. Concil. p.* 303, 304. *Simeon Dunelm. Hist.* 110. *Mat VVestm. Anno* 789, 791. *Richardus Prior. Hagustald. de Stat. & Episc. Hagust. Eccl. l.* 1. 6. 17. 6*l.* 297.

[s] About the year 788. (there being some difference amongst Historians in the year) there was **a great Council** held at *Ade*, and after that another Council kept at *Wincenhale* or *Pincanhale* in *Northumberland*, now called *Finkely*. Sir *Henry Spelman* conceives, that these *Councils were principally summoned to prevent the incursions of the* Danes, who in the year 787. came into *Britain* with 3 ships; to discover the Coasts, and prey upon it, slew King *Brictricus* his *Provost*, and after that *many thousand thousands of the English at sundry*

times

times. After this there was another Parliamentary *Council* or *Synod* held at *Aclea*, or *Aclith*; at which time Duke *Stega* by *wicked Treason* slew his Sovereign *Alfwold*, king of *Northumberland*, and was, not long afterwards, *slain himself* by the *Danes*, (who miserably wasted and destroyed that rebellious kingdom of *Northumberland* with fire and sword) as a *condign punishment for their treasons*, Rebellions and Regicides of their Kings. *Propoſit.* 6, 9.

[t] Anno 792. there was a Council held at a place called *Fincale*, where the Archbishop with his Suffragan Bishops, and many others were present: What the occasion of it was, appears not: only our Historians relate, That *Osred* king of *Northumberland*, was this year *chased out of his Kingdom by his rebellious subjects*, *when he had reigned but one year*, and *Ethelred*, son of *Mollo* substituted *King in his place.* Whereupon *Osred* gathering forces together to expel *Ethelred*, which had expulsed him out of *his Realm*, was in his march into it again *taken prisoner and slain by this Usurper* at *Tymmouth.* Upon occasion of which Insurrections and Wars, I conceive this Council was most probably summoned. Soon after this usurping Regicide *Ethelred*, was slain himself, *even by those seditious Subjects* who expelled and slew *Osred*, to advance him to the Throne. The common fate of bloody Usurpers, especially in this kingdom of *Northumberland*, as our Historians observe. *Anno* 792. [t] *Matthew VVest. p.* 282. *Mamesbury de gest. reg. l.* 1. *c.* 3. *Huntind. Hist. l.* 4. *p.* 343. 344. *Hoveden Annal. pars prior, p.* 410. *Florent. VVigorn. An.* 792. *Ethelredi Hist. l.* 3. *Propoſit.* 5, 9.

(u) *King Offa*, in the year 793. called a *Provincial* Parliamentary *Council*, where Archbishop *Humbert*, and his *Suffragans*, with **all the Primates and Nobles were present**; wherein he treated with them about founding the Monastery of St. *Albane*, the first Martyr, in the place where his Corps was found: *endowing it with lands and Privileges.* **Placuit omnibus Regis propositum.** Whereupon they concluded, *the King should go to Rome in person, and procure from the* Pope *Anno* 793. (u) *Matthew VVestm. An.* 794. *p.* 287, 288, 289. *Spel. Concil. p.* 300. *to* 316. *Chron. Job. Brunt. col.* 754, *to* 757. *Polychron. l.* 5. *c.* 17. *Propoſit.* 5, 10.

Pope *the Canonization of* St. Albane, *and a Confirmation of Privileges to the Abbey he intended to build.* He repairing to *Rome* accordingly, the *Pope* commending his Devotion, gave him his full assent, both to found a Monastery, and endow it with all such Privileges as he desired: enjoyning him, that returning to his Country, **ex Consilio Episcoporum, & Optimatum suorum,** by advice of his Bishops and Nobles, *he should confer to the Monastery of St.* Albane, **what Possessions or Privileges he would**; which he should *grant or confirm to it by* **his special Charter first**; *and afterwards he would confirm his original with his Privilege and Bull.* The king hereupon receiving the Popes Benediction, returned home, and held *two great Councils for the setling of the Lands, Privileges and Liberties of St.* Albanes: The one at *Celcyth*, where were present, 9 *Kings*, 15 *Bishops, and* 20 *Dukes* (as *John Stow* relates in his Chronicle) who *all subscribed and ratified his* Charter of Lands and *Privileges granted to St.* Albane. The other Council was held at *Verolam*, which *Matthew Westminster* thus expresseth. *Congregato apud* Verolamium *Episcoporum & Optimatum Concilio, unanimi omnium consensu & voluntate, beato, Albano Amplas contulit terras, & possessiones innumeras; Quas multiplici Libertatum privilegio insignivit. Monachorum vero conventum ex Domibus bene Religiosis ad Tumbam Martyris congregavit, & Abbatem eis Nomine* Willegodum *praefecit, cui cum ipso Monasterio, Jura Regalia concessit.* This king then reigning over 20 Shires, at the same time (by the unanimous assent of the Bishops and Nobles) (z) gave *out of all those Counties to the English School at Rome*, *Peter-Pence*, in English called *Romescot. Yet* he privileged the Church of St. *Albane* with so great *Liberty*, that *this Church alone should be quit of the Apostolical Custom and Tribute called* Romescot, *when as neither the King nor Archbishop, nor any Bishop, Abbot, or Prior, or any other in the Realm was exempted from*

Proposit. 6, 10.

(z) *See Radol. de Diceto Abbrev. Chron. col.* 446, *& Spelm. Concil. p.* 310, *to* 314.

Proposit. 1, 6.

from this payment. And likewiſe granted, that the Church of St. *Albane* ſhould faithfully collect the ſaid *Romeſcot*, from all the County of *Heriford*, wherein the ſaid Church is ſituated, and receive the money collected to that Churches own uſe. And that the *Abbot* thereof, or a Monk conſtituted his *Archdeacon* under him, *ſhould exerciſe Epiſcopal Authority over all the Prieſts & Laymen within the poſſeſſions belonging to the Abbey, and that he ſhould make ſubjection to no Archbiſhop, Biſhop, or Legate, but only to the Pope himſelf. So as that Church hath* omnia jura Regalia; *and the Abbot thereof for the time being*, Pontificalia ornamenta. And that by the great Charter of this king then made, with the unanimous conſent of all his Biſhops and Nobles in this great *Council*. What Lands he gave to the Monaſtery of St. *Auguſtines* and *Chriſt-church* in *Canterbury*, and the *Archbiſhops there*, you may read at large in the Chronicles of *William Thorne*, col. 1775. and *Evidentiæ Eccleſiæ Chriſti Cantuarienſis*, col. 2203, 2219.

(y) King *Offa* deceaſing An. 797. his Son *Egfrid*, ſo ſoon as he was ſettled in his Fathers kingdom, imitating the pious footſteps of his Father, devoutly conferred many Lands and poſſeſſions on the Church of St. *Albanes*, and confirmed them by his Charter and Privilege; *with all thoſe other Lands, Privileges and Royal Liberties which his Father had conferred on the ſaid Church, to enjoy them in the freeſt manner.* **Et ejus Donatio, ut perpetuæ firmitatis Robur obtineret,** juxta morem Romanæ Eccleſiæ, **omnium Epiſcoporum Comitum et Baronum totius imperii ſui** (aſſembled in a general Council of the Realm) **Subſcriptionem, & ſignum crucis appoſuit,** *Cauſing all his Biſhops, Earls, and Barons of his whole Realm to ſubſcribe and ratifie his Charter and Donation with the ſign of the Croſs, after the manner of the Roman Church,* **That it might be of perpetual force and validity.** Moreover declining his Fathers covetouſneſs in all things, whatever he **for**

Anno 797. (y) *Mat. weſt. Anno* 797, *p.* 290, 291. *Alcuini Epiſt. Osbert. Speeds Hiſtory p.* 371. *Chron. Iohan. Brom. col.* 752, 754, 776.

Propoſit. 10.

the exaltation of his Kingdom, *had diminished out of the possessions of divers Monasteries, he, out of a pious devotion, restored and confirmed with his Privilege* (or Charter) *to all who desired it.*

This pious King *Egfrid*, (as our Historians observe) and let others note it who gain their Kingdoms, Powers, Possessions by Bloodshed and Treason (*was taken away by sudden death on the* 141 *day after his Fathers decease* (which gave great cause of grief to all the people of his Realm) *not for his own sins, which is not to be supposed*; *but* **because his Father** (pro Regni sui confirmatione sanguinem multum effudit) **for the confirmation of his Kingdom shed much blood.** For he(z)came to the Crown by the slaughter of King *Bernred*, forementioned; deposed and slain by him for his *usurpation, Tyranny, and Mis-government*, then he invaded and slew with his own hand *Alrick* King of *Kent*, routed his forces, and reduced that kingdom under his own: After this, marching from South to North, even beyond *Humber*, he made Havock of all that stood in his way: Whence returning in Triumph, he set upon the *West-Saxons*, and vanquished them, forced their king *Kenwolf* to fly into *Wales* to the *Britons* for aid; then entred into *Wales*, routed their King *Marmodius*, for breaking his Truce; made a great slaughter of the *Britons* & *after ten years prosperous wars to conquer others, returned victoriously into his own territories.* After his return thither, *to compleat his bloody Tragedies*, *Ethelbert* King of *East-Angles* coming upon solemn invitation to his Court in great state, *to marry his Daughter*, was there *treacherously murdered by his Wife* Quendreda's *solicitation and practice, with his privity and consent*, who caused a *deep pit to be digged in his Bed-chamber, under his Chair of State, or Bed*, into which *he falling was there treacherously murdered, and his head cut off by* Gaymbertus, *who presented it all bloody to King Offa*; who (to colour the business) *seeming to be sorrowfull*

(z) *See Mat. VVestm. Malmesbury, Huntindon, Hoved. Radulph. Castrensis, Ethelwerdus, VVigorn. Speed, Grafton, Holinshed, Fab. in his life. Ch. Io. Brom. col.* 750. 751, 752. *Radulph. de Dice to Abbreviat. Chron. col.* 445, 446. *Polichron. lib.* 5. *c.* 16, 17.

rowfull for this murder, ſhut himſelf up in his Chamber, and there faſted 8 days ſpace, bnt then, *ſending a great Army into the Kingdom of this murthered Prince, ſeiſed on & united it to his own Empire.* But Gods exemplary vengeance purſued this hainous bloody Treachery (notwithſtanding all his feigned magnified Saintſhip, and works of Charity and Piety) for, within *one year after this bloody fact committed*, both *Queendreda*, *Offa*, and their *Son Egfrid* (the only joy and pride of his Parents) *all died, and his very kingdom it ſelf was tranſlated from the* Mercians *to the* Weſt-Saxons, *whom he had conquered and oppreſſed.* O that all men of blood, and unjuſt invaders of others Crowns, Realms, Poſſeſſions by war, bloodſhed and Treachery, would ſeriouſly conſider this Preſident, with all others of this nature both at home and abroad, collected to their hands by Sir *Walter Raughly*, in his excellent *Preface*, before his famous *Hiſtory of the World.*

About the year of Chriſt 797. (*a*) *Cynwolfe* (or *Kenulph*) King of *Weſt-Saxons* held a *Council*, wherein he with his *Biſhops*, *una cum* caterva ſatraparum, and likewiſe with a great company of his *Nobles*, there aſſembled, writ a Letter to *Lullus* Biſhop of *Mentz*, touching ſome matters of *Religion* then in Debate.

An. 797. (*a*) *Bonif. Monunt. Ep.* 112. *Mr. Seldens Titles of Honour, part* 2. *c.* 5. *p.* 632. *Propoſit.* 5, 6.

In the (*b*) year 798. (the third of King *Kenulph* his reign) there was a great *Parliamentary Synod* aſſembled at *Pinchamhalch*, wherein *Eanbaldus*, or *Embaldus*, Archbiſhop of *York* ſate *Preſident*, *with very many wiſe and great Men*; *by whoſe Wiſdom and Juſtice the Kingdom of* Northumberland *was then much advanced and renowned*: Who after they had debated many things concerning *the benefit of holy Church, and profit of all the Provinces of the People of* Northumberland; *the obſervation of Eaſter, and of Divine and ſecular Laws, the increaſe of Gode ſervice, and the honours and neceſſities of the ſervants of God, rehearſed and ratified the faith of the* 5 *firſt General Councils, concerning the Trinity*, in brief and pithy

Anno 798. (*b*) *Tho. Stubs, Acta Pontif. Ebo. col.* 1697. 1698. *Simeon Dumelm. Hiſt. col.* 114, 115. *Rog. de Hoveden, Annal. pars prior. p.* 406. *Propoſit.* 5, 6.

thy expressions, fit now to be revived in these times of Heresie and Blasphemy.

(e) *Evidentia Eccl. Christi Cantuar. col.* 2211, 2212. *Spelm. Concil. p.* 317. *Mat. VVest. Anno* 798.

The (e) same year, there was another *Great Council* held at *Racanceld*, wherein *Kenulph* King of *Mercians* sate President, *Athelardus* Archbishop of *Canterbury*, 17 *other Bishops, sundry Abbots, Arch-deacons, and other fit persons being there likewise present*; Wherein, by the command of *Pope Leo*, it was decreed; *That from thenceforth no Laymen should exercise Dominion over the Lords Inheritance and Churches; but that they should be governed by Holy Canons, and the Rules of their first founders and possessors, under pain of Excommunication*: *and that* Christ-church *in* Canterbury, *should be restored to its antient Metropolitan Jurisdiction.* Which all the Prelates and Abbots confirmed with their Subscriptions. And this year this King consecrated the Church of *Winchelcumbe*, endowing it with great *gifts* and *possessions*, in a kind of Parliamentary Assembly of 13 *Bishops, and* 10 *Dukes*, where he manumitted and set free at the high Altar, *Edbert* King of *Kent*, surnamed *Pren*, whom he *had taken prisoner in Battel.* Moreover *Eanbaldus* Archbishop of *York*, this year assembled a *Synod* at *Finchale*; most likely for the assistance of *Eardulfus* King of *Northumberland* against Duke *Wadus*, and other *Conspirators*, who rose up *against* him, whom *he vanquished and utterly routed, after a long and bloody battle at* Bilingeho, *where many were slain on both sides*; which History *Matthew Westminster* couples with this *Synod*, An. 798.

Propos. 5,8,9, 10.

An. 799. (d) *Evid. Eccles. Christi Cant. col.* 2212. *Propos.* 4,10.

(d) King *Kennulph* in the year 799. **By the consent of his Bishops and Princes,** at the request of *Athelardus* Archbishop of *Canterbury*, restored to *Christ-Church* in *Canterbury*, four parcels of Land which king *Offa* had formerly taken from it; and *gave to his Servants, free from all secular service and Regal Tribute: ratifying this restitution by his Charter, signed with the Cross*, that it *might remain inviolable* by their concurrent assent.

There

There was a *Provinciat Council* held at *Cloveſko* (or *Clyffe*) In the year of our Lord 800. by *Kenulf* king of *Mercians*, *Athelwerdus Archbiſhop of Canterbury*, and all the *Biſhops*, *Dukes*, *Abbots* & cujuſcunque dignitatis viros, *and men of all ſorts of aignity*; where after ſome inquiry, how the *Catholique Faith was kept*, *and Chriſtian Religion practiced amongſt them*? The Lands which king *Offa* and king *Kenulph* had forcibly taken away from *Chriſt-Church*, with the Nunnery of *Cotham*, and the *Hides of Land* called *Burnam*, were *Synodali Judicio*, by the *Judgement of the Council*, *reſtored to Chriſt-Church*. **Et omnium voce Decretum eſt,** and, *It was decreed by the voice of all the Council*, *upon ſight of the Books and Deeds there produced before them by the* Archbiſhop, *that it was juſt* Cotham *ſhould be reſtored to* Chriſt-Church (being given to it by King *Æthelbald*, by his Charter) *of which it had*, *for a long time unjuſtly been ſpoiled*, *notwithſtanding the frequent complaints made by Archbiſhop* Bregwin *and* Iambert *in every of their Synods*. *In hoc Concilio annuente ipſo Rege*, Athelardus *recuperavit dignitates & poſſeſſiones quas* Offa *Rex* Merciorum *abſtulerat* Iamberto: writes *Gervaſius*. After which the *Archbiſhop* in this *Council* made this *Exchange* with *Cynedritha*, then Abbeſs of *Cotham*; that ſhe and her ſucceſſors ſhould enjoy all the Lands, and Nunnery of *Cotham*, in lieu whereof ſhe ſhould give to him one hundred and ten Hydes of Land in *Kent*, lying in *Fleot*, *Tenaham*, and *Creges*, together with all the writings thereto belonging, *which exchange was made before*, *confirmed and atteſted by this Noble Synod*; *that ſo no Controverſie might ariſe between them*, *their Heirs and Succeſſors*, or *King* Offa's, *in future times concerning the ſame*, *but that they might peaceably injoy them without interruption*, *for ever*. And moreover the Archbiſhop gave unto *Cynedrytha* the Monaſtery called *Pretanege*, which king *Egfrid* gave to him & his heirs. Which proves the *Great Councils* and *Synods* in that age to be

An. 800.

(e) *Spelmanni Concil. p.* 318, 319, 320. *Evident. Eccl. Chriſti Cant. col.* 2212, 2213 *Gervaſius Dorobern. Actus Pontif. Cantu. col.* 1642. *and Godwin in the life of Athelardus.*

Propoſ. 4, 5, 6.

Parliaments; and that they judicially restored Lands unjustly taken away by Kings, upon complaint, examination and due proof made thereof, as well as inquired of errors and abuses in Religion,

(f) *Will. Malmsbury de gest. Reg. l. 1. c. 4. Spel. Conc. p. 320. to 324. Antiq. Eccles. Brit. p. 27, 28, 29, 30. Mat. West. An. 797.*

In this Council I conceive it was, that (f) *Kenulph,* **with his Bishops, Dukes, et omni sub nostra Ditione Dignatis gradu,** compiled and sent a Letter to Pope *Leo* the third; promising *obedience to his commands*; *requesting that the ancient Canons might be observed, and the Jurisdiction and Power of the See of* Canterbury (*which King* Offa *and* Pope Adrian *had diminished and divided into two Provinces or Archbishopricks*) *might be restored and united again thereto, to avoid Scisms*: *and craving the* Popes *answer to these their requests*: which he returned in a special *Letter* to the King, *restoring to* Athelardus *and his successors the Bishopricks substracted from his Province,* with *the Metropolitan Jurisdiction over them, as amply as before.*

An. 802. (g) *Spelman. Concil. p. 324, 325, 326. See Mat. westm. An. 797, to 805.*

(g) Hereupon, in the year 802. or thereabouts, there was another Parliamentary *Council* assembled at *Clovesho*; wherein the *Archbishoprick of Litchfield was dissolved, the See of* Canterbury *restored to its former plenary Metropolitical Jurisdiction* (according to *Pope Leo* his Decree) *By the advice and Decree of the whole Council:* which *commanded in the name of God, That no Kings,*

Propost. 5, 6. *nor Bishops, nor Princes,* neque ullius Tyrannicæ potestatis Homines, *should diminish the honour of the Metropolitical See, or presume to divide it in any particle whatsoever, under pain of an Anathema Maranatha*; which Decree the *Archbishop,* with 12 *other Bishops,* subscribed and ratified with the sign of the *Cross* (as they formerly did in the *Council of Bechanceld,* An. 798.) And in this *Council divers controversies concerning the Lands, Limits and Jurisdictions of other Bishops & Bishopricks were likewise decided and setled*; as you may therein read at large.

End

(b) *Eadburga* Daughter to King *Offa* married *Brithric* King of the *West-Saxons*: proud of her parentage and match, she grew *so ambitious, solicit, and Tyrannical that she became odious, not only to all the Prelates, Nobles, and Courtiers, but to the people likewise.* For being *incited with malice and tyranny, she usually accused and execrated to the King all the Nobles of the Realm, Ordinaries, Bishops, and Religious persons, and so overcame him by her flatteries, that those whom she began to accuse,* aut vitâ aut Regno privaret, *she would either deprive of Life, or banish them the Realm; and if she could not obtain this from the King against them, she accustomed to destroy them privily with poison.* At last, An. 802. She preparing poison, to destroy a rich and noble Favourite of the Kings, whom he extraordinarily lov'd; so as she could not banish or destroy him by her false accusations; the King casually drinking of the Poison (contrary to her intention) as well as his Favourite, *they were both therewith suddenly poisoned and destroyed.* Wherewith this wicked woman being tetrified, fled with all her *invaluable Treasures beyond the Seas* to *Charles* the Great: who for her Lasciviousness, *in making choice of his Son for her Husband before himself,* (though much inamoured with her transcendent beauty) thrust her into a Monastery, where soon after, *she abusing her body by uncleaness,* in lying with *a lewd man, was expelled thence, forced to beg her bread, and ended her days in extreme misery.* A just judgement of God, both upon a *Tyrannical Queen*, and *unrighteous King*, seduced to banish and condemn his Nobles and Subjects unjustly by her solicitations. For this her most hainous crime the *West-Saxons* ordained a *Law*, to the Grand prejudice of all their *succeeding Queens: That none of them should have either Title, Majesty, or place of Royalty or Queen:* 'Non enim *West-Saxones* Reginam, vel juxta 'Regem sedere, vel Reginæ appellatione insigniri pati-'untur, propter maliciam *Eadburgæ*, quæ virum suum

Anno 802.

(b) *Matthew West. An. 802, 814. Asserius Mene. de gest. Alfredi Regis, Wil. Malmesb. de Gestis Reg. l. 2. c. 2. p. 46. Florentius wigorn. An. 855. Polychron. l. 5. c. 27. Speeds Hist. p. 230. Mr. Seldens Titles of Honour, part 1. c. 6. p. 166. Sim. Dunelm. Hist. de Gest. Reg. Angl. col. 118. Fox Acts and Monuments, vol. 1. p. 170, 171.*

Propost. 2, 4.

'suum *Brithicum* veneno perdidit, & juxta Regem se-
'dens, omnes Regni Nobiles accusare solebat, & quos
'accusare non potuit, potu eos venenifero necare consu-
'evit. Itaque pro Reginæ maleficio omnes conjurave-
'runt, **quod nunquam se regnare permitterent, qui in prædictis culpabilis inveniretur:** as *William of Malmesbury*, *Asserius Menevensis*, *Matthew Westminster*, *Florentius Wigornienſis*, and others out of them relate,

Anno 816 (*i*) *Spelman. Concil. p.* 317, 318, 319.

(*i*) There was a *Parliamentary Synod*, or *Council*, held at *Celichith*, in the year 816. at which, not only *Wulfred* Archbishop of *Canterbury*, with all his *Suffragan Bishops*, but likewise *Kenulf* king of *Mercians*, with his *Princes*, *Dukes*, *and Nobles*, *and sundry Abbots*, *Priests*, *Deacons*, *and other sacred Orders were present*, wherein they enacted 11 *Constitutions*, the 6th. whereof was this in substance. *That the Judgements and Decrees of Bishops made in Synods should not be infringed, but remain firm and irrefragable*, being ratified *with the sign of the holy Cross (by the Kings and Nobles Subscriptions) unless perchance the King or Princes deemed the subscriptions of their Antecessors of no force, and feared not to reform, or cease from this error, which shall rest and bring a Curse on them and their heirs.* The 7th. *That no Bishops, Abbots or Abbesses shall alienate or part with the Lands, writings and evidences of their Churches and Monasteries, which they are intrusted to keep*, nisi rationabilis causa popoſcit adjuvari, contra invasionem famis, & Deprædationem Exercitus, & ad Libertatem obtinendam: which causes they reputed reasonable.

Proposit. 4, 5, 6.

Anno 822. (*k*) *Evident. Eccles. Christi Cant. col.* 2213, 2214. *Spelm. Concil. p.* 332, 333, 334. *Florentius Wigorn. Anno* 822. *p.* 287, *Ethelwerdi Hist. l.* 9. *c.* 2.

In the year of our Lord 822. there was a *Parliamentary Council* assembled at *Cloveſho*, wherein *Beornulph* King of *Mercians* sate *President*, at which *Wulfred* Archbishop of *Canterbury*, with the rest of the Bishops, Abbots, omniumque dignitatum Optimatibus, Ecclesiasticarum scilicet & sæcularium personarum, were present

ſent, debating things *both concerning the benefit and regulation of the Church, and defence and ſafety of the Realm* (the proper ſubjects of our preſent *Engliſh* Parliaments) as theſe words import, 'Utilitatem & neceſſitatem Eccleſiarum, Monaſterialiſque vitæ Regulam et obſervantiam, ſtabilitatem quoque Regni 'pertractante'. In this Parliamentary *Council, the Proceedings in 3 precedent Councils, touching the Complaints of the* Archbiſhops *of* Canterbury, *of the Injuries done unto them, in taking away the Lands of the Church by their Kings and Officers, with the proceedings thereupon* are at large recited, which I ſhall here tranſcribe, becauſe generally unknown to moſt, and beſt diſcovering the proceedings of our antient Parliamentary Councils in Caſes of this nature; of any Council I have met with in that Age, and thoſe which next proceeded, or ſucceeded it. Propoſit. 5, 6.

'All the ſaid perſons in the ſaid Council ſitting 'down quietly together, it was inquired by them; '*quomodo quis cum Juſtitia ſit tractatus, ſeu quis injuſtè 'ſit ſpoliatus?* In what manner any one had been handled 'with juſtice? or if any one had been unjuſtly ſpoiled? 'Whereupon, amids other things there acted and ſpo'ken, it was ſhewed, That Archbiſhop *Wulfred* by 'the miſ-information, and enmity, and violence and a'varice of king *Kenulph*, had ſuffered many injuries, *and 'was moſt unjuſtly deprived of his juſt dominations, as well 'by thoſe things which were done unto him amongſt us here 'in* England, as *by thoſe things which were brought againſt 'him to the See* Apoſtolick, *by the procurement of the fore'ſaid King* Kenulph: *by which accuſations and diſcords, 'not only the fore-named Archbiſhop, but alſo the whole 'Engliſh Nation, for almoſt ſix years ſpace, was deprived 'of its primordial authority, and of the Miniſtry of ſacred 'Baptiſm.* Above all theſe things, the ſaid king *Ke'nulph* at a certain time with his Council, coming to 'the City of *London*, appointed a day (with great in-

Propest. 3. 4. 'dignation) wherein the *Archbishop* should come unto him: whither when he came, *the King commanded, that relinquishing all his goods, he should speedily depart out of* England, *without hopes of returning any more*, neither *by the command of our Lord the* Pope, *neither by the intreaties of the* Emperour, *nor of any other person, unless he would consent to his will, in demising to him a farm of* 300 *Hides of Land, called* Leogenetham, *and moreover would give to the said King one hundred and twenty pounds in money*; This reconciliation the said *Wulfred* refusing, long contradicted; and when the friends of the man of God, and Nobles of the King, who loved him very much, perceived the *rapacity and violence of the King*, they importuned the Archbishop, *that he would consent to the Kings will, upon this condition; that the King should relinquish the difference which he had raised between the* Pope *and* Archbishop, *by his Messengers, and should restore to the said Father all the power and dignity which belonged to the said Primates See*, according to the authority *which his Predecessors most amply enjoyed in former time. But if the King could not do this, that he should then restore the mony and Land, which he exacted of the Archbishop to him again.* Upon this condition therefore, the said reverend Father gave his assent: But nothing of the aforesaid condition was performed: For three whole years after the said agreement, he remained deprived of the power which his predecessors and himself had before that difference over *Suthmenstre*, as well in pasture, mony, vestments, as obedience, which belonged to the Metrapolitical See.

But after the death of King *Kenulf*, when *Beornulf* reigned; the said Archbishop *Wulfred* invited *Abbess Kenedrytha*, Heir and Daughter of King *Kenulf*, to the foresaid *Council*; whither when she came, the *Archbishop complained in the audience of all the Council, of the injuries and troubles offered and done to him, and*

to

'to Christs Church, by her Father; and required repara-
'tion from her, if it were Just: Then **all the Council**
'**found it to be Justice**, et hoc unanimi consensu De-
'crevit, and **Decreed it by a unanimous consent**, *Nota.*
'That all those things which her Father had taken away
'from the Archbishop, she ought justly to restore unto him,
'and to give him so much again for reparation. And
'moreover should restore all the use (or profit) the fore-
'said Father had lost in so long a space: which she hum-
'bly promised to do.

'It seemed good therefore to king *Beornulf*, with his
'Wisemen, for friendship sake, most diligently to make a
'reconciliation and amends for the said Lands, between the
'heirs of King Kenulf and the Archbishop; and because
'this pleased the king, and he humbly intreated it;
'out of Love and Friendship to the King the Archbi-
'shop consented thereto; for the heirs of the said king
'Kenulf often desired to have the said Father to be
'their Patron and intercessor; And they intreated
'him with humble devotion, that for a full reconcili-
'ation, he would receive in four places one hundred
'Hides of Land; to wit *Herges*, and *Herfording Land*,
'*Wamdelea*, and *Gedding*. Then the Archbishop for the
'love of God, and the amiable friendship of *Beornulf*,
'consented to this accord, upon this condition; that
'the foresaid Abbess should deliver to the said Archbi-
'shop, the foresaid Lands of one hundred Hides, with the
'Books which the English call Landhos, and with the same
'liberty which he had before, for a perpetual inheritance:
'Whereupon king *Beornulf*, with the testimony of the
'whole Council, proclaimed it to be altogether free.

'But this Agreement was not all this time ratified,
'because after these things, the promise remained un-
'fulfilled for 12 Moneths: for three Hides (or tene-
'ments) of the foresaid Lands, were detained; and
'the Books of 47 tenements; to wit, the Book of
'*Bockland*, the Book of *Wambelea*, and also the Book

'of

'of *Herfordingland*, But in the year following she the 'said Abbess desired a Conference with the foresaid 'Archbishop, who at that time was in the Country of 'the *Wicii*, at a place called *Ostaveshlen*, where he held a '*Council*: where, when she had found the man of God, '*she confessed her folly in delaying her former agreement*: 'upon which the Archbishop with great sweetness 'shewed; *that he was altogether free from the foresaid a-'greement, and that of her part there were many things 'wanting which she ought to have restored*; but she being 'brought before the *Council*, greatly blushing; *humbly promised, that she would restore all those things that 'were wanting, and with a willing mind restored to the* 'Archbishop the Books of certain Lands, which *before 'she had not promised, with the Lands (adjudged to him*, 'as Sir *Henry Spelmans* Margent supplies the defect) '*in the same Council*. She likewise added thereto 'a farm of 4 tenements in *Hevgam* for his favour; 'likewise She gave to the Archbishop 30 Hide land '(or tenements) in *Cumbe*, with a Book of the said 'Lands, *that a firm and stable friendship* and accord 'might remain between all the heirs *of King* Kenulf 'and *the Archbishop*. To all which things the *Archbishop gave his consent, upon this Condition, that the names of the aforesaid Lands should be raised quite out of the Ancient Privileges which belong to* Wincelcumbe, *lest in after times some controversie should be raised*, **De hoc quod Synodali authoritate decretum est, et signo crucis firmatum**: concerning this which was ended by authority of the *Council*, and confirmed with the sign of the Cross. By this, and the precedent *Councils* of *Cloveshoo*, it is apparent; first, That the Injustice, Rapine, and oppression of our Saxon Kings themselves, was then examined and redressed in and by our Parliamentary *Councils*: 2ly. That Tittles to Lands, Jurisdictions, Privileges unjustly taken from the Church and other men, by our kings, or other great persons and com-

complaints touching the ſame, were uſually heard, determined and redreſſed in the great Parliamentary Councils of that Age, upon complaints made thereof, and that to *and before the whole Council*, not to any private Committees, not then in uſe. 3ly. That reſtitution, reparations and damages in ſuch Caſes, were uſually awarded in ſuch Parliamentary Councils, not only againſt the Kings & Parties that did the wrong, but likewiſe againſt *their heirs*; as here againſt *Abbeſs Cenedritha*, Daugher and heir to king *Kenulph*, After the deceaſe of her father the *Tort Feaſor*. 4ly. That the ſame cauſe and complaint was revived, continued, ended in ſucceeding, that reſted undecided, and unrecompenſed in former Councils. 5ly. That Agreements, Exchanges, and Judgements given upon Complaints in Parliamentary Councils, were concluſive and final to the Parties and their Heirs. 6ly. That Injuries done by the power of our Kings or great Men in one Parliamentary Council (as in dividing the Archbiſhoprick of *Canterbury*, &c.) were examined & redreſſed by another ſubſequent Council. 7ly. That Parliamentary Councils in that Age, were very frequently held, at leaſt once or twice a year (if not interrupted by wars) and that uſually at *Cloveſho*, according to the (*l*) *Decree* of the *Council* of *Heartford* under Archbiſhop *Theodor*, *That the Biſhops once a year ſhould aſſemble together in a Council at* Cloveſho; as *Gervaſius Dorobernienſis* records; there being 4 Councils there, and elſewhere, held in King *Beornulfs* 4 years reign.

Nota.

(*l*) *Actus Pontif. Cantu. col.* 1639. *Spelm. Concil. p.* 334.

I find (*m*) another *Council* held at *Cloveſho*, in the year 824 the 3. of the Calends of *November*, under *Beornulf* King of *Mercians* and *Wulfred* Archbiſhop of *Canterbury*, where this King, *which all his Biſhops and Abbats, and all the Princes, Nobles, and many moſt wiſe men were aſſembled together*. Amongſt other buſineſſes debated therein, there was a ſute between *Heabere* Biſhop of *Worceſter*, and the *Nuns* of *Berclea* concerning the inheritance of *Æthelfrick* Son of *Æthelmund*,

Anno. 824. *Spelm. Concil. p.* 334-335. *Propoſit.* 5, 6.

to wit the Monasterie called *West-Burgh*, the Lands whereof, with the Books, the Bishop then had, as *Æthelfrick* had before commanded, that they should be restored to the Church of *Worcester*. This Bishop, with 50 Mass Priests, and 160 other Priests, Deacons, Monks and Abbots (whose names are recorded in the Manuscript) swore, *that this Land and Monastery were impropriated to his possession and Church*; which Oath with all these fellow swearers, he was ordered to take at *Westminster*, and did it accordingly, after 30 nights respite. Whereupon, **It was ordained and decreed by the Archbishop, & all the Council consenting with him**; *that the Bishop should enjoy the Monastery, Lands, and Books to him and his Church*; and so that suit was ended, and this Decree pronounced thereupon.

'Quapropter, si quis hunc agrum ab illâ Ecclesiâ in 'Ceastre nititur evellere, contra Decreta sanctorum 'Canonum sciat se facere; quia sancti Canones decer- 'nunt, **Quicquid Sancta Synodus universalis cum 'Catholico Archiepiscopo suo adjudicaverit, nullo mo- 'do fractum vel irritum esse faciendum.** Hæc autem 'gesta sunt. Hi sunt Testes & Confirmatores, hujus rei, 'quorum nomina hic infrà notantur, 4 die tertio Ca- 'lend. Novembrium.

'Ego *Beornulf* Rex *Merciorum* hanc chartulam 'Synodalis decreti signo sanctæ Christi Crucis con- 'firmavi.

Then follows the Archbishops Subscription and confirmation in like words; with the *subscriptions of sundry Bishops, Abbots, Dukes and Nobles*, being 32 in number, *all ratifying this Decree*.

An. Dom. 833. (n) *Ingulphi Hist. p.* 855, 857. See *Matthæus Westm. Anno* 833, 834, 835. *Speln. Concil. p.* 337, 338, 339.

An. 833. (n) *Egbert*, King of *West-Saxons*, *Athelwulfe* his Son, *Witlafius* king of *Mercians*, **both the Archbishops, Abbots, cum Proceribus majoribus totius Angliæ, with the greatest Nobles of all England**, were all assembled together at *London* (in a National

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Parliamentary Council) **pro consilio capiendo contra Danicos Piratas Littora Angliæ assidue infestantes:** *to take Counsel what to do against the Danish Pirates, dayly infesting the Sea-Coasts of* England. Propoſit. 5, 9, 10.

In this Council the *Charter* of *Witlafius* king of *Mercians*, to the *Abbey* of *Croyland* (where he was hid and secured from his enemies) *was made and ratified*; wherein he *granted them many rich gifts of Plate, Gold, Silver, Land, and the Privilege of a Sanctuary, for all offenders flying to it for shelter*; which grant could not be valid without a Parliamentary confirmation; for he being *elected King*, **omnium consensu**, after the slaughters of *Bernulf* and *Ludican* (two *invading Tyrants cut off in a short time*; qui contra fas purpuram induerent, & regno vehementer oppresso, totam militiam ejus, quæ quondam plurima extiterat, & victoriosissima, sua imprudentia perdiderant, as *Ingulphus* writes) was enforced to hold his kingdom from *Egbert* king of *West-Saxons* under a *Tribute*. And thereupon conferring divers Lands by *his Charter to this Abbey for ever, to be held of him, his heirs and Successors, Kings of* Mercia, *in perpetual and pure Frankalmoigne*, quietæ & solutæ **ab omnibus oneribus secularibus, exactionibus, & vectigalibus universis quocunque nomine censeantur.** *That his grant might be sound and valid*, he was necessitated to have it confirmed *in this Parliamentary Council, by the consent of King* Egbert *and his Son, and of all the Bishops, Abbots* **et Proceribus quamplurimis Angliæ,** *and the greater Nobles of England there present*; most of them *subscribing and ratifying this Charter with the sign of the Cross, and their names.*

About the year of Grace 838. there was a Parliamentary *Council* held at (o) *Kingston*, in which *Egbert* king of the *West-Saxons*, and his Son *Æthelwulfe*, *Ceolnoth* Archbishop of Canterbury, *with the rest of the Bishops and Nobles of England were present. Amongst many things there acted and spoken, Archbishop* Ceolnoth *shewed before*

Anno 838. (o) *Evidens. Eccl. Christi Cantuar. fol.* 122, 123. *Spelm. Concil. p.* 349.

fore that whole Council, That the foresaid Kings Egbert and Athelwulfe had given to Christchurch the Manour called Malinges in Sussex, free from all secular service and Regal Tributes, excepting only these three, Expedition, building of Bridge and Castle: which foresaid Manour and Lands King Baldred gave to Christchurch; Sed quia ille Rex cunctis Principibus non placuit, noluerunt donum ejus permanere ratum; But because this King pleased not all his Nobles, they would not that this his gift should continue firm: (To which Sir Henry Spelman adds this Marginal Note, Rex non potuit distrahere patrimonium Regni, sine assensu Procerum) Wherefore the foresaid Kings (in this Parliamentary Council, with their Nobles assent) at the request of the said Archbishop, regranted and confirmed it to Christchurch; with this Anathema annexed against the infringers of this grant, If any shall presume to violate it, on the behalf of God, and of us Kings, Bishops, Abbots, and all Christians, let him be separated from God, and let his portion be with the Devil and his Angels.

Propositi. 5, 6, 10.

Anno 847. (o) Hist. Angl. l. 5. Spelman. Concil. p. 343.

(o) Polydor Virgil, records, that King Athelwulfe, in the year 847. going in pilgrimage to Rome, repaired the English School (there lately burned down) and in imitation of King Ina, made that part of his Kingdom which Egbert his Father had added, Tributary to the Pope, Legeque sanxit, and enacted by a Law (made in a Parliamentary Council) that those who received 30 pence rent every year out of their possessions, or had more houses, should pay for those houses they inhabited, every of them a penny a peece to the Pope (for the maintenance of this School) at the Feast of Peter and Paul, or at least of St. Peters bonds; which Law some (writes he) though falsely, ascribe to his Son Alfred; which act others refer to the years 855, or 857, and that more truly.

Propositi. 1.

Anno 850. (p) Ingulf. Hist. p. 858, 859. Spelm. Concil. p. 344. Mat. Westm. An. 849, 850.

(p) Abbot Ingulphus in his Hist. of the Abby of Croyland, records; that Bertulf usurping the Crown, by the trea-

cherous

cherous murder of his Colen St. *Weſtan* (*tantâ ferebatur ad regnandum ambitione*) paſſing by the Abbey of *Croyland*, moſt wickedly and violently took away all the Jewels, Plate and ornaments of the Church, which his Brother Withlafius and other Kings had given to it; together with all the mony he could find in the Monaſtery; and hiring Souldiers therewith againſt the Danes, then waſting the Country about London, he was vanquiſhed and put to flight by the Pagans; Whereupon this *King* ſoon after, holding **a great Council** at Benningdon, An. 850. with the Prelates and Nobles of his whole Realm of Mercia there aſſembled (about the *Danes* invaſions, how to raiſe forces and monies to reſiſt them, as is moſt probable by our *Hiſtorians*.) *Abbot Siward*, and the Monks of *Croyland* therein complained before them all, by *Askillus* their fellow Monk, of certain injuries malitiouſly done unto them by their Adverſaries, who lying in wait in the uttermoſt banks of their Rivers, did ſeiſe upon their ſervants (being ſuch as fled thither for Sanctuary) in caſe at any time they went out of their precincts never ſo little way (either to fiſh, or bring back their ſtragling Sheep, Oxen, or other Cattle) as infringers of their Sanctuary, and ſubjected them to the publick Laws, to their condemnation and deſtruction; to the great dammage of the Abbey, by the loſs of their ſervice; Of which complaint, the King and all the Council being very ſenſible, and deſirous to provide for the peace and quiet of the Abbey, and to declare and enlarge their Privileges; The *King* thereupon commanded *Radbott* Sheriff of *Lincoln*, and the reſt of his *Officers in* thoſe parts, to go round about, deſcribe and ſet forth the bounds of their Iſle of Croyland, and of the Mariſhes thereunto belonging, and faithfully and clearly to demonſtrate them **to him and his Council**, wherever they ſhould be, the laſt day of Eaſter next enſuing; Who fulfilling his command, openly preſented an exact deſcription of their Boundaries to the King and his Council, (which bounds are recited at large in *Ingulphus*,) keeping their Eaſter at Kingsbury.

Prop. 2,4,5,9. 10.

Anno 851. [q] *Ingulphi Histor. p.* 858. *to* 863. *Spelm. Concil. p.* 344, *&c.*

Anno 851. Whereupon the king in this *Parliamentary Council* at *Kingsbury*, in *Hebdomada Paschæ*, **pro Regni negotiis congregati; In Recompensationem tamen aliquam pecuniæ direptæ**; *to make some kind of Recompence of the Mony he had formerly taken from the Abbey, by the Common Council of his whole Realm*, by his Charter made and ratified in this Council (wherein he makes this recital touching this money, as if they had freely lent it to him in his necessities; though the Historian relates, *he took it away by force*: 'Gratias Debitas 'vobis omnibus dignissimè reddo pro pecuniâ quâ me per vos dudum prætereuntem, in meâ maximâ indigen- 'tiâ contra Paganorum violentiam gratissimo & libe- 'ralissimo animo defovistis) granted unto them, *That the bounds of their Sanctuary and liberties should extend* 20 *foot in breadth beyond the farthest banks of their grounds compassing their Iland; and* 20 *foot from the water it self; where ever their fugitive servants should ascend, to draw their nets, or do their other necessary businesses; and that this Sanctuary for fugitives should extend to all the Marishes where they had Common for their Cattle; and that if their Cattel through tempest, theft, or other misfortune, strayed beyond these limits into the fields adjoyning, their fugitive servants might pursue and fetch them back thence, without any seisure or danger*; 'sub mutilatione membri 'magis dilecti, si quis illud privilegium meum in ali- 'quo temerè violaret. *After which, he confirmed all the Lands and privileges formerly granted to this Abbey by Kings, Earls, or other persons, particularly recited in this Charter; which was made & granted by the common consent, assent and advice of this whole Parl. Council, & of the Bishops and Nobles of the Realm*, as these Clauses in the Charter abundantly attest. 'Cum consensu concilio toti- 'us Regni mei concedo. 'Consentientibus omnibus 'Prælatis & Proceribus meis concedo; cum communi 'Concilio, gratuitoque consensu omnium Magnatum 'Regni mei concedo; complacuit unanimiter mihi, &c uni-

Propos. 1, 4.

Nota.

Prop. 5, 6, 10.

'universo Concilio vestra omnia loca mei authoritate 'Regii Chirographi confirmare. Unanimo consensu to-'tius presentis Concilij, hic apud *Kingsbury*, Anno in-'carnationis Christi Dom. 855. feria sexta in hebdo-'mada Paschæ, pro Regni negotiis congregati, istud 'meum Regium Chirographum sanctæ crucis signo sta-'biliter & immutabiliter confirmavi. After which the Archbishop of *Canterbury*, with other *Bishops*, 3 *Abbots*, 2 *Dukes*, 3 *Earls*, with *Osfat* Ambassadour of King *Ethelwulf* and his *Sons*, in their Names, and the Name of the *West-Saxons*, *subscribed and ratified this Charter*, *affixing the sign of the Cross*, *and their names thereto*, as you may read at large in *Ingulphus*.

That this *Parliamentary Council*, and the former at *Beningdon* were principally summoned for the defence of the Realm against the invading *Danes*, who [r] then incessantly molested it; and that this was the chief of those *Regni negotiis* for which they were assembled, is evident by this publick prayer of the Kings, then subscribed under this Charter.

[r] *See Ingulf. p.* 858, 862, 863, 864, 865. *Mat. Westm. Florent. Wigorn. Ethelwerdus*, *Radulf. de Dicето*, *Huntingdon*, *Hoveden. Brom. An.* 851, *Propest.* 9.

'Ego *Bertulphus* Rex *Merciorum* palam omnibus 'Prælatis & Proceribus Regni mei, divinam deprecor 'Majestatem, quatenus per intercessionem sanctissimi 'Confessoris sui sancti *Guthlaci*, omniumque sancto-'rum suorum, dimittat mihi, & omni populo meo, 'peccata nostra, & sicut per aperta miracula sua digna-'tus est misericordiam suam; sic super Paganos hostes 'suos dare nobis dignetur omni certamine victoriam & 'post præsentis vitæ fragilem cursum in consortio san-'ctorum suorum gloriam sempiternam, Amen.

After which [s] *Ingulphus* subjoyns this *Monkish miracle*, relating the *order of the proceedings in this Council*, the sole end for which I cite it.

[s] *Hist. p.* 861, 862.

'God wrought in this *Council* to the honour of his 'most holy Confessor *Guthlac*, a most famous miracle, 'whereby the devotion of the whole Land, now more 'lukewarm than ordinary, to goe in pilgrimage to

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'*Croyland*, might thenceforth become more frequent, 'and by all ways, through all Counties might dayly be revived; for whereas a certain disease like to 'a Palsie, this year afflicted all *England*; the Nerves 'of Men, Women, and Children, being smitten with 'a sudden and excessive cold (their veins swelling and 'growing harder, the which no remedy of cloathes 'could prevent) and especially the Arms and hands 'of men being made useless, and altogether withred; 'in which disease, like a fore-running most certain 'Messenger thereof, an intollerable pain pre-occupated the Member so growing ill. It hapned *in this* '*Council*, that many; as well of the greater as lesser 'ranck, were sick of this Malady, *& cum regni negotia proponerentur*, and when as the businesses of the Realm were to be proposed, Lord *Celnoth* Archbishop of *Cant rbury*, *who was vexed with this disease*, openly counselled; Divina negotia deberi primitus proponi, & sic humana negotia Christi suffragante gratia, finem prosperum posse sortiri; Assentientibus universis, &c. *That Divine businesses ought first of all to be proposed, and so humane business, through the suffrage of Christs grace, might obtain a prosperous end. All assenting therunto, when Lord* Siward, *then Abbot of* Croyland *was inquired for; because in Councils and Synods for his great eloquence and holy Religion, he had been, as it were, a divine interpreter for many years, and the most gratious Expositor and Promotor of innumerable businesses of the whole Clergy; who by reason of his great old age, was not present; but by Frier* Askillus, *his fellow Monk, he excused his absence with a most humble Letter, by the burden of his long old age; King* Bertulph *himself remembring the former complaint of the Church of* Croyland, openly related before the Council, the Injuries frequently done to the Lord Abbot *Siward*, and to his Monastery of *Croyland*, by the foolish fury of their Adversaries; and commanded, that Remedy should be provided and Decreed by common

Nota.

Prop. 5, 6.

mon advice. *When as therefore this buſineſs was in agitation amongſt them,* & Petitio Domini Siwardi, (the firſt Petition I meet with of this Nature to and in our Parliamentary Councils) *and the Petition of the Lord Abbot Siward concerning the ſame, delivered by the foreſaid Frier* Askillus, had run from hand to hand of the Prelates and Nobles of the whole Council, and one adviſed one thing, another another: Lord *Ceolnoth* Archbiſhop of *Canterbury* cried out with a loud voice, *that he was healed of his diſeaſe, and perfectly recovered by the merits of the moſt holy Confeſſor of Chriſt, moſt bleſſed* Guthlac, whoſe buſineſſes were then handling in their hands: *likewiſe many other moſt potent men in the ſaid Council cryed out,* as well Prelates as Nobles, *that they had been ſick of that diſeaſe, but now by Gods Grace, and the merits of moſt holy* Guthlac, *they felt no pain in any of their Members, through the ſaid malady: And all of them preſently bound their Conſciences with a moſt ſtrict vow, to viſit the moſt ſacred Tomb of moſt holy* Guthlac *at* Croyland *with devout pilgrimage, ſo ſoon as they could.* Wherefore our Lord King *Bertulf*, commanded the Biſhop of *London* (who was then accounted the beſt Notary, and moſt eloquent ſpeaker, who being moreover touched with the ſame diſeaſe, now predicated, with greateſt joy, *that he was healed*) *to take the Privileges of* Croyland *into his hands, and that he ſhould inſiſt to honour his Phyſicitian S.* Guthlac *with his hand writing,* prout conſilium ſtatueret, *as the Council ſhould ordain; which alſo was done*; Therefore in the *Subſcriptions* of the *Kings Charter* (afore-mentioned) the Archbiſhop of *Canterbury*, *Ceolnoth*, confeſſeth himſelf *whole and ſound*: St. *Swithin* Biſhop of *Wincheſter*, rejoyceth concerning *the Lords Miracles*. *Alſtan* Biſhop of *Sherburn*, and *Orkenwald* of *Lichenfeld*, give thanks for *the ſucceſſes of the Church*; and *Rethunus* Biſhop of *Leiceſter*, profeſſeth himſelf *a Servant to St.* Guthlac *ſo long as he lived*: Uuiverſique Concilii Optimates, *And* *Propoſ. 6.*

all the Nobles of the Council, with a most ardent affection, yeelded obedience to the Kings benevolent affection towards St. Guthlac *In all things.*

From all which precedent passages in these two *Councils*, it is apparent.

First, That the Parliamentary Councils of that Age, consisted only of the King, spiritual and temporal Lords and Peers, without any Knights of Shires, or Burgesses, of which we find no mention in this, or any other former or succeeding Councils, in the *Saxons* times; though sometimes Wise-men of inferior quality, both of the Clergie and Laity, were particularly summoned to them, without any popular election, by the Kings special direction, for their advice.

2ly. That all Divine and Ecclesiastical matters, touching God, Religion, and the Church, and all affairs of the Realm of publique concernment, relating to war or peace, were debated, consulted of, & setled in Parliamentary Councils. 3ly. That the businesses of God and the Church, were therein usually first debated and setled, before the affairs of the kingdom, of which they ought to have precedency. 4ly. That all private grievances, injuries and oppressions done by the King, his Officers, or other private persons, to the Church, or other men, were usually complained of, and redressed in Parliamentary Councils, by the advice and judgement of the King and Peers; and that either upon the parties Petition, setting forth his grievances, or a relation made thereof by the King, or some other Prelate or Nobleman, before the whole Council. 5ly. That what could not be redressed in one great Council, was in the next succeeding Council revived and redressed, according to the merits of the cause. 6ly. That no Peer nor Member of the great Council might absent himself in those times, but upon just and lawfull excuse, which he ought humbly to signifie to the King and Council by a special Messenger, and

Let-

Letter, as Abbot *Siward* did here. 7ly. That all Members of the Council had free liberty of Debate and Vote, in all buſineſſes complained of, or propoſed to them; and a negative, as well as an affirmative voice. 8ly. That all buſineſſes then were propounded and debated before all the Council, and reſolved by them all, not in private Committees. 9ly. That our Kings in thoſe days, in Caſes of neceſſity, could not lawfully ſeiſe their ſubjects monies and plate againſt their wills, to raiſe Soldiers to reſiſt invading foreign Enemies, but only borrow them by their free conſents, and held themſelves bound to reſtore or recompence the monies lent or taken by them in ſuch exigencies, with thankfull acknowledgment. 10. That our Kings in that age, could not grant away their Crown lands, create or inlarge Sanctuaries, or exempt any Abbies from Taxes and publique payments, or impoſe any publique Taxes on their Subjects, but by Charters, or grants made and ratified in and by their great Councils.

Anno 854. (t) King *Æthelulf* gave *the tenth part of his Realm to God and his Saints, free from all ſecular ſervices, exactions and Tributes, by this Charter, made and confirmed, by the advice and free aſſent of all the Biſhops and Nobles throughout the Realm then aſſembled in a Great Council*, to oppoſe the invading plundering Danes.

'Regnante in perpetuum domino noſtro Jeſu Chri-
'ſto, in noſtris temporibus bellorum incendia, & di-
'reptiones opum noſtrarum, & vaſtantium crudeliſſi-
'mas hoſtium barbarorum paganorumque gentium
'multiplices tribulationes, affligentium uſque ad in-
'ternecionem cernimus, tempora incumbere pericu-
'loſa; Quamobrem ego *Æthelulfus*, Rex Occidentali-
'um Saxonum, **cum Conſilio Epiſcoporum, ac Prin-**

(t) *An.* 854. *Mat weſt. An.* 854, 878. *Mr. Seldens Hiſt. of Tithes ch.* 8. *p.* 208, 209. *Malmsbury de Geſt. Reg. Angl. l.* 2. *c.* 2. *Florentius wigornienſis Anno* 855. *Ingulphi Hiſt. p.* 862. *Polychronicon, l.* 5. *c.* 30. *Hen. Huntindon, Hiſt. l.* 5. *p.* 348, *Ethelwerdi Hiſt. l.* 3. *c.* 3, *p.* 841, *Roger Hoveden Annal. pars prior, p.* 413. *Chronicon Johannis Bromton, col.* 802. *Ethelredus Abbas, de genealogiâ Regum Angliæ, col.* 351. *Simeon Dunelm. de Geſt. Reg. Angl. col.* 121. *Radulfus de Diceto Abbrev. Chron. col.* 450. *Speeds Hiſt. p.* 377. *Spelmanni Concil. p.* 348. *to* 353.

'cipum meorum, Consilium salubre atque uniforme re-
'me i.m affirmavi, ut aliquam portionem **Terræ meæ**
Propost. 1, 5, 6, 9. 10. **'Deo & beatæ Mariæ** & omnibus sanctis **Jure perpetuo**
'possidendam concedam, Decimam scilicet partem
'terræ meæ, *ut sit tuta muneribus*, et libera ab omni-
'bus servitiis secularibus, nec non Regalibus Tributis
'Majoribus et Minoribus, seu Taxationibus, quæ nos
* *Or Winterden as Ingulfus hath it.* 'Wintereaden appellamus, sitque **omnium rerum liber-**
'ra, pro remissione animarum & peccatorum meorum;
'ad serviendum soli Deo, sine **expeditione, et pontis**
'**constructione, arcis munitione**, ut eo diligentius
'pro nobis preces ad Deum sine cessatione fun-
'dant, quo eorum servitutem in aliquo levigamus.

The Copies in our Historians vary in some expressions, and in the date of this Charter; some placing it in *Anno* 855. others *Anno* 865. This Charter, as *Ingulphus* records, was made at *Wincheſter*, Novemb. 3. Anno. 855. *præsentibus & subscribentibus Archiepiscopis Angliæ universis, nec non* Burredo, *Merciæ*, & Edmundi *East-Anglorum rege, Abbatum, & Abbatissarum* **Ducum, Comitum, Procerumque totius terræ,** *aliorumq; fidelium infinita multitudine. Dignitates vero sua nomina subscripserunt.* After which, for a greater Confirmation the King offered the Written Charter up to God upon the Altar of St. *Peter*, where the Bishops received it, and *after sent it into all their Dioceſſes to be published*: and hereupon the Bishops of *Sherburne* and *Wincheſter*, with the *Abbots* and religious persons, on whom the said benefits were bestowed, decreed, *That on every* Wednesday, *in every Church, all the Friers and Nuns should sing* 50 *Psalms, and every Priest* 2 *Masses; one for the King, and an other for his Captains*, It is observable, first, That the Parliamentary Council wherein this Charter was made and ratified by common consent, and this exemption and tenth granted, was principally called to resist *the invading plundering Danes*. 2ly. That this King and Council, in those

times of Invaſion and neceſſity, were ſo far from taking away the Lands and Tithes of the Church, for defence of the Realm, or from impoſing new unuſual Taxes and Contributions on the Clergy for that end, that they granted them more Lands and Tithes than formerly, and exempted them from all former ordinary Taxes and Contributions, that they might more cheerfully and frequently pour forth prayers to God for them, as the beſt means of defence and ſecurity, againſt theſe forein invading enemies.

(*u*) Mr. *Selden* recites another *Charter* of this King of the ſame year (different from it in month and place) out of the *Chartularies* of *Abbington Abbey*, to the ſame effect, made by Parliamentary conſent of that time, *& per conſilium ſalubre cum Epiſcopis, Comitibus, ac cunctis Optimatibus meis*, which Charter is ſubſcribed by this *King* and his two *Sons*, with ſome *Biſhops* and *Abbots*; ratified *with their ſigns of the Croſs*, and this annexed curſe, *Si quis verò minuere vel mutare noſtram donationem præſumpſerit, noſcat ſe ante tribunal Chriſti redditurum rationem, niſi prius ſatisfactione emendaverit*, uſual in ſuch Charters.

(*u*) *Hiſtory of Tithes. ch.* 8. *p.* 208, 209.

After (*x*) which, this King going to *Rome*, carried *Alfred* his youngeſt Son thither with him (whom he moſt loved) to be educated by Pope *Leo*; where continuing a year, *he cauſed him to be crowned King by the Pope*, and returning into his Country married *Judith*, the King of *France* his Daughter, bringing *Alfred* and her with him into *England*. In the Kings abſence in forein parts, *Alſtan* Biſhop of *Sherburne*, *Eandulfe* Earl of *Somerſet*, *and certain other Nobles making a Conſpiracie* with *Ethelbald* the Kings eldeſt Son, *concluded, he ſhould never be received into the Kingdom, upon his return from* Rome, *for two Cauſes: One, for that he had cauſed his youngeſt ſon* Alfred, *to be crowned King at* Rome, *excluding thereby, as it were, his eldeſt Son, and others from the Right of the Kingdom.* Another, *for that*

(*x*) *See Malmesbury, Huntindon, Hoveden, Matthew weſtm. Ethelwerdus, Simeon Dunelmenſis, Wigornienſis, Speed, Polychron. Fabian, Holinſhed, Grafton, and others in his life.*

contemning all the women of England, he had married the Daughter of the King of France an alien **et contra morem et Statuta Regum West-Saxonum**, and against the use and Statutes of the Kings of the West-Saxons, called Judith, (the King of France his Daughter, whom he lately espoused) Queen, and caused her to sit by his side at the Table, as he feasted; For the West-Saxons permitted not the Kings Wife to sit by the King at the Table, nor yet to be called Queen, but the Kings Wife: (y) Which Infamy arose from Eadburga, Daughter of King Offa, Queen of the same Nation, who destroyed her Husband King Brithric with poison, and sitting by the King, was wont to accuse all the Nobles of the Realm to him, who thereupon deprived them of life or banished them the Realm; & whom she could not accuse, she used to kill with poison: Therefore for this mis-doing of the Queen: **they all consured and swore, that they would never permit a King to reign over them who should be guilty in the premisses:** Whereupon King Æthelulfe returning peaceably from Rome, his Son Æthelbald, with his Complices, attempted to bring their conceived wickedness to effect, in excluding him from his own Realm and Crown. But Almighty God would not permit it; for lest peradventure a more than civil war should arise between the Father and the Son, the **Conspiracie of all the Bishops and Nobles** ceased, though the King (clemency, who divided the Kingdom of the West-Saxons (formerly undivided) with his Son, so that the East part of the Realm should go to his Son Ethelbald, and the West-part remain to the Father. And when **tota Regni Nobilitas**, all the Nobility of the Realm, and the whole Nation of the West-Saxons, would have **fought for the King, thrust his Son** (Ethelbald) **from the right of the Kingdom**, and banished him and his Complices out of the Realm, qui **tantum facinus** perpetrare ausi sunt, & Regem a regno proprio repellerent (which Wigornensis, Anno 855. stiles **Facinus, et inauditum omnibus seculis ante infortunium**) if the Father would have permitted them to do it

(y) Mat. west. an. 802, 854. Huntindon, Hoveden, Bromton, Speed, Holinsh. d, Asser. Flor. wigorn. Radulf. de Diceto. Simeon Dunelm. Polychronicon, Fabian, Mr. Seldens Titles of Honour, part. 1. c. 6. p. 116, 117, 118.

See here p. 35.

Propositi. 2, 4, 7, 8, 10.

it. He out of the nobleneſs of his mind, *ſatisfied his Sons deſire; ſo that where the Father ought to have reigned by the juſt judgement of God, there the obſtinate and wicked Son reigned.* This King (z) *Æthelulfe* before the death of *Egbert* his father, was ordained Biſhop of *Wincheſter*, but his Father dying, *he was made King by the Prelates, Nobles*, and People, much againſt his will, **cum non eſſet alius de Regio genere qui regnare debuiſſet**, *becauſe there was none other of the Royal Race who ought to reign:* Hæredibus aliis deficientibus, poſtmodum neceſſitate compulſus, gubernacula Regni in ſe ſuſcepit, as *Bromton* and others expreſſe it.

(z) *Matthew Weſtm. An.* 857. *Speeds Hiſt p.* 376, 377. *Chron. Jo. Bromton, col.* 810. *and the reſt ſpecified.*

At his death (Anno 857.) he did *by his will* (leſt his Sons ſhould fall out between themſelves after his deceaſe) *give the kingdom of* Kent, with *Suſſex and Eſſex*, to *Ethelbert* his ſecond ſon, and left the kingdom of the *Weſt-Saxons* to his eldeſt ſon *Æthelbald*; then he deviſed certain ſums of *Money to his Daughter, Kindred, Nobles, and a conſtant annuity for ever, for meat, drink, and cloths to one poor man or pilgrim out of every* 10 *Hides of his Land, &* 300 *marks of mony to be ſent yearly to* Rome, *to be ſpent there in Oyl for Lamps, & Almes:* which ſums I never find paid by his Succeſſors, as he preſcribed by his Will and *Charter* too, becauſe not confirmed by his great Parliamentary Councils, of Prelates and Nobles, as his forcited Charter, and (a) *Peter-pence* likewiſe granted by him) were; upon this occaſion (as ſome record) that he being in *Rome*, and ſeeing there outlawed men doing penance in bonds of Iron, purchaſed of the Pope, that **Engliſhmen** after that time ſhould never out of their Country, **do penance in Bonds.**

Anno 857.

(a) *Radulph. de Diceto Abbreviationes Chron. col.* 450. *Chron. Johan. Brom. col.* 802, 806. *Polychron. l.* 5. *c.* 30.

About the year of our Lord 867. (b) *Osbrith* King of *Northumberland* (as *Bromton* records) reſiding at *York*, as he returned from hunting, went into the houſe of one of his Nobles called *Bruern Bocard*, to eat; who was then gone to the *Sea-coaſts, to defend it & the Ports againſt Theeves and Pirates, as he was accuſtomed*; His Lady be-

Anno 867.

(b) *Chron. Jo. Bromton, col.* 803. *Speeds Hiſtory.*

being extraordinarily beautifull, entertained him very honorably at dinner; The K. enamored with her beauty, after dinner taking her by the hand, leads her into her Chamber, saying *he would speak with her in private*; and there violently ravished her against her will: which done he presently returned to *York*, but the Lady abode at her house, weeping and lamenting the deeds of the King; whereby she lost her former colour and beauty. Her Husband returning, and finding her in this sad condition, inquired the cause thereof; wherewith she fully acquainting him; he thereupon cheered her up with comfortable words, saying, *that he would not love her the lesse for it, since her weakness was unable to resist the Kings power*; and vowed by Gods assistance, *speedily to avenge himself & her of the King, for this indignity*. Whereupon, being a Noble and very potent man, of great Parentage, he called all his kinsmen, and the chief Nobles of his Familie to him, with all speed, and acquainted them with this dishonour done to him by the king, saying, *he would by all means be avenged thereof*; and by their Counsel and Consent, they went all together to *York*, to the king, who when he saw *Bruern* called him courteously to him; But he, guarded with his kinred and friends, presently *defying the King, resigned up to him his Homage, Fealty, Lands, and what ever he held of him*, saying, *that he would never hold any thing of him hereafter as of his Lord*: And so without more words, or greater stay, instantly departed, and taking leave of his friends, went speedily into *Denmark*, and complained to *Codrinus* king thereof, *of the Indignity done by King* Osbrith *to him and his Lady*, imploring his aid and assistance, *speedily to revenge it, he being extracted out of his Royal blood*. The king and *Danes* hereupon, being exceeding glad that they had this inducing cause to invade *England*, presently gathered together a great Army *to revenge this Injury done to Bruern*, being of his Blood, appointing his

two

two Brothers, *Ingvar* and *Hubba*, moſt valiant Souldiers, to be *their Generals*; who providing Ships and other Neceſſaries, tranſported an innumerable Army into *England*, and landed them in the *Northern parts*; This being the true Cauſe why the *Danes* at this time invaded *England* in this manner. In the mean time, the Parents, Kindred, and Friends of *Bruern*, expelled and rejected King *Osbrith*, for this Injury done to him and his Lady, *refuſing to hold their Lands of, or to obey him any longer as their Soveraign*, and advanced one *Ella* to be King, *though none of the Royal bloud*. Our other [*c*] *Hiſtorians*, who mention not this fact of *Osbrith*, and occaſion of theſe *Danes* arival to revenge it, write, that the *Danes* upon their Landing marched to the City of *York*, *waſting all the Country before them with fire and Sword unto* Tinmouth. At *that time* (they write) *by the Devils inſtinct, there was a very great diſcord raiſed between the Northumberlanders*, Sicut ſemper populo qui odium incurrerit evenire ſolet: For the *Northumberlanders* at that time had *expelled their lawfull King* Osbrith *out of the Realm*, *and advanced one* Ella, *a Tyrant, not of the Royal bloud, to the Regal Soveraignty of the Kingdom*. *By reaſon of which diviſion*, *the* Danes *taking* York, *ran up and down the Country filling all places with bloud and Grief, waſting and burning all the Churches and Monaſteries far and near, leaving nothing ſtanding but the Walls and ruines of them, pillaging, depopulating, and laying waſte the whole Country*. In which great neceſſity and diſtreſs the Northumberlanders *reconciling their two Kings*, Osbrith and Ella, *one to another, gathered a great Army together againſt the* Danes, *which their two Kings and eight Earls marched with to* York, *where a long fight, with various ſucceſs, both the ſaid Kings with moſt of the* Northumberlanders *were all ſlain*, April 11. Anno 867. *The City of* York *conſumed with fire, and the whole Kingdom made tributarie to the* Danes: [*d*] *Simeon Dunelmenſis* relates, that both theſe

Propoſition 8.

[*c*] *Florent. wigorn. Mat. weſtm. Anno* 867 *Sim. Dunelm. Hiſt. de Dunelm. Eccl. c.* 6. *Huntingd. Hiſt. l.* 5. *p.* 349. *Roger, Hovenden, An. pars prior, p.* 415. *Ethelwerdi Hiſt. l.* 4. *c.* 2. *p.* 842. *Polychron. l.* 5. *c.* 32. *Hiſt. de Sancto Cuthberto col.* 70. *Sim. Dunelm. de geſt. Reg. Ang. col.* 123, 142. *Thor. Stubbs. Hiſtus Pontif. Ebor. col.* 1668 *Speeds Hiſt. p.* 418. *See Holinſhed, Fabian and Graſton.*

[*d*] *Hiſt. de Dunelm. Eccleſ. c.* 6. *col.* 14. *& Hiſt. de Sancto Cuthberto col.* 70.

these kings had *violently & sacrilegiously taken away certain Lands from* S. Cuthberts *Church in* Durham, *for* Osbrit *had by a sacrilegious attempt* taken away Wircewood *and* Tillemouth; *and* Ella, Billingham, Heclif *and* Wigeclif & Creca *from* S. Cuthbert: *tandem cum maximâ parte suorum ambo præfati Reges occubuerunt, & Injurias quas Ecclesiæ sancti Cuthberti aliquando irrogaverant, vitâ privati, & regno persolverunt*; Which the *Author* of the *History* of St. *Cuthbert*, observes and records more largely, as a punishment of their sacrilegious Rapine: The *Danes* hereupon made *Egbert* king of *Northumberland, as a Tributary and Viceroy under them: Sic Northumbria bellico jure obtenta barbarorum dominium multo post tempore pro conscientiâ libertatis Ingemuit, writes* Malmesbury de Gestis Regum Angliæ, *l. 2. c. 3. p. 42.*

Proposit. 3, 4.

These rebellious *Northumberlanders* about 7 years after, *uno conspirantes consilio, expelled* Egbert *the Realm by unanimous consent, together with* Archbishop Wilfer, *making one* Richius *King in his Place*; the *Danes* both then and long after possessing and wasting their Country, and slaughtering them with fire and sword (as the * Marginal Historians record) *more than any other parts of the Iland, by a just divine punishment for their manifold* Treasons, Seditions, Factions, Rebellions against, and Murders of their Soveraigns.

Proposit. 8.

* See [c] before p. 57.

In the year (e) 868. a great Army of these victorious plundering *Danes*, marched out of the Kingdome of *Northumberland* to *Nottingham*, which they took, and there wintered; Whereupon *Beorred* (or *Brithred*) King of *Mercians*, **omnesque ejusdem gentis Optimates**, *and all the Nobles of that Nation assembled together*, Where the King, Consilium habuit cum suis Comitibus, & comilitonibus, & omni po-

Anno 868.

[e] Sim. Dunel. Hist. de Gest. Reg. Ang. col. 123, 124, 146. Mat. VVestm. & Florentius VVigorn. An. 868, 869. Ethelwerdi Hist. l. 4. c. 2. Huntingd. Hist. l. 5. p. 349. Hoveden Annal. pars 1. p. 416. Ingulph. Hist. p. 863, 864. Chron. Joh. Bromtom. col. 807. Polych. l. 5. c. 32. Fabian, Holinshed, Grafton, Speed in the life of Beorred and Ethelred.

pulo

pulo ibi subjecto, Qualiter inimicos bellica virtute exuperaret, sive de Regno expelleret; *held a Council with his Earls and fellow Souldiers, and all the people subject to him, how he might vanquish these Enemies with military power, or drive them out of the Realm*: By whose advice, he sent Messengers to *Ethelred* King of the *West-Saxons*, and to his Brother *Elfrid*, humbly requesting them, *that they would assist and joyn with him against the* Danish *Army; which they easily condescending to*, gathered a very great Army together out of all parts, and joyning all together with *Beorred* and his forces, marched to *Nottingham*, unanimously, with a resolution to give the *Danes* battel; who sheltering themselves under the works of the Castle and Town, refused to fight with them; whereupon they besieged them in the Town, but being unable to break the Walls, *they concluded a Peace at last with the* Danes, *upon condition, that they should relinquish the Town, and march back again into* Northumberland, which they did; where their Army continued the whole year following, in & about *York*, *debacchans & insaniens, occidens & perdens perplurimos viros & mulieres*. Proposit. 5, 6, 9,

[f] Abbot *Ingulphus* records; that during the siege of *Nottingham*, King *Beorred*, (as he stiles him) at the request of Earl *Algar* the younger (who was very gracious with him and the other Kings *causâ suæ nobilis militiæ*) granted a *Charter* of *Confirmation*, not only of all the *Lands, Advowsons, Possessions*, which this Earl, with other particular persons and Kings had given to the *Abby of Crofland*, but likewise of all their former *Privileges*, confirming all their *Islands, Marishes, Churches, Chapels, Manors, Mansions, Cottages, Woods, Lands, Meadows*, (therein specified) *to God and Saint* Guthlac *for ever*, Libera & Soluta, & emancipata ab omni onere terreno, & servitio seculari, in Eleemosynam æternam perpetuo possidendam. Which *Charter* hath this memorable *exordium*, expressing the mo- [f] Hist. p. 863, 864. Proposit. 10, 1.

tives inducing this King to grant it.

'*Beorredus* largiente Dei gratiâ Rex *Merciorum*, omnibus provinciis, & populis earum universam *Merciam* inhabitantibus, & fidem Catholicam conservantibus salutem sempiternam, in Domino nostro Jesu Christo. Quoniam peccatis nostris exigentibus, manum Domini super nos extensum, quotidiè cum virgâ ferreâ cernimus cervicibus nostris imminere, Necessarium nobis & salubre arbitror, piis sanctæ matris ecclesiæ precibus Eleemosynarumque liberis largitionibus iratum Dominum placatum reddere, et dignis devotionibus ejus gratiam in nostris necessitatibus auxiliariam implorare, Ideoque et ad petitionem strenui Comitis, mihi meritoque dilectissimi, concessi regio Chirographo meo *Theodoro Abbati Croyland*, Tam donum dicti Comitis Algari, quam dona aliorum fidelium præteritorum ac præsentium, &c. And it concludes thus. Istud Regium Chirographum meum, Anno Incarnationis Domini nostri Jesu Christi, 868. Calendis Augusti apud *Snothingham* coram fratribus, & amicis, & omni populo meo **in obsidione Paganorum congregatis**, sanctæ crucis munimine confirmavi; Then follow the *subscriptions and confirmations* of *Ceolnoth* Archbishop of *Canterbury*, 5 *Bishops*, 3 *Abbots*, *Ethelred* king of *West-Saxons*, and *Alfred* his Brother, *Edmund* king of *East-Angle*, 2 *Dukes*, and twelve *Earls*, who all ratified this Charter.

After which Charter confirmed, this king *Beorred renders special thanks to all his Army*, for their assistance against the *Danes*, *especially to the Bishops*, *Abbots*, *and other inferior Ecclesiastical Persons*, *for their voluntary assistance of him in those wars against these Enemies*, notwithstanding his Fathers *exemption of them by his Charter from all military expeditions and secular services*: thus recorded by [g] *Ingulphus*, and most worthy observation.

[g] Hist. p. 864, 865.

'Ego *Beorredus* Rex *Merciorum*, Intimo animi affectu,

'ſectu, totisque præcordiis gratias exolvo ſpecia-
'les, omni exercitui meo; maximè tamen Viris Ec-
'cleſiaſticis, Epiſcopis & Abbatibus, aliis etiam in-
'ferioribus ſtatus & dignitatis. Qui licèt piiſ- Proposit. 1,3, 8.
'ſimæ memoriæ, Rex quondam *Ethelwulfus* pater
'meus, per ſacratiſſimam Chartam ſuam, ab omni ex-
'peditione militari vos liberos reddiderit, & ab omni
'ſervitio ſæculari penitus abſolutos; digniſſimâ ta-
'men miſeratione ſuper oppreſſiones Chriſtianæ ple-
'bis Eccleſiarumque, & Monaſteriorum deſtructio-
'nes luctuoſas, benigniſſimè compaſſi, contra nefan-
'diſſimos Paganos in exercitum domini prompti &
'ſpontanei conveniſtis, ut tanquam Martyres, Chri-
'ſti cultus ſanguine veſtro augeatur, & barbarorum
'ſuperſtitioſa crudelitas effugetur.

From theſe laſt Paſſages, it is apparent: firſt, That in thoſe days our *Saxon* Kings made War and Peace by the advice and conſent of their Nobles and Parliamentary great Councils. 2ly. That in caſes of common invaſion and danger by forein Enemies, all the forces raiſed, and ways and means to reſiſt them, were concluded on by advice and conſent of theſe great Councils, and not by the kings abſolute power. 3ly. That all, or moſt Church-men and their Church-lands, in thoſe days, were abſolutely freed and diſcharged from all *military expeditions*, *Contributions*, Aids and Aſſiſtance againſt Enemies, by expreſs Charters, but only ſuch as themſelves voluntarily and freely contributed in caſes of incumbent great Danger and Neceſſity, without compulſion; for which their kings rendred them ſpecial and hearty thanks; acknowledging and confirming theſe their Immunities, not violating them upon ſuch Neceſſities, as this Notable paſſage of *Ingulphus* atteſts, together with that of [b] *Mat. Weſt.* An. 867. Concerning *Alſtan* Biſhop of *Sherborne*, [b] Pag. 312. & Malmsb. de Geſtis Regum, l. 2. c. 2. p. 37.

a man of very great Power and Counsel in the Realm: *Contra Danos quoque qui tunc primò insulam infestabant, Regis Æthelulfi sevitiam exacuit; Ipse ex* fisco pecuniam accipiens, ipse exercitum componens, *Alurtis felix eventibus contra hostes bella plurima constanter peregit*: receiving Money *out of the Kings Exchequer* (not the Peoples Purses or Contributions) to manage these Wars and not warring on his own expences. 4ly. That the Nobles, Gentry, and People of the Realm, were the only standing *Militia* in that Age, to defend it against forein Enemies in times of danger or actual invasion; when they marched out of their own Countries against them, voluntarily and freely adventuring their lives for defence of their King, Country, Religion, Liberties, Properties; as they did at this siege of *Nottingham*, and during all the long-lasting *Danish* Wars, Invasions, and Depredations both by Land and Sea. 5ly. That our Christian Kings, Nobles, and great Councils of those days, in times of greatest danger, Invasion and Wars, held it most seasonable and necessary to confirm and enlarge the Churches Patrimony, Liberties, and Privileges, thereby to stir up their Clergy-men more earnestly to assist them with their Prayers; not to diminish, invade or infringe them, under pretext of Real inevitable necessity and danger (the practice of late and present times) Whereupon they granted and confirmed this forecited Charter in the *very Armis* during the siege of *Nottingham*, before all the Kings, Princes, Prelates, Dukes, Earls, and people there present.

Propost. t. 3.

An. 870. (l) Ingulphi Hist. p. 865 to 869, Mat. westm. wigorn. Huntingd. Hoveden, Brom. Radulf. de Dicto. Sim. Dunel. Polychron. Fabian, Grafton, Holinshed, Speed, Ethelwerdus in the life of Ethelred and An. 870.

(l) In the year 870 *Ingwar* and *Hubba*, with the rest of the *Danes* coming into *Kesteven* in *Lincoln-shire*, wasting and slaying all the Country with fire and sword, thereupon *Earl Algarus*, *Osgot* Sheriff of *Lincoln*, and *all the Gentry and People* in those parts, with the Band of the *Abby of Croyland* (under the Command of *Turketul* a Monk, formerly a Souldier) consisting of 200 *stout men*,

men, (moſt of them Fugitives thither for Sanctuary) uniting all their forces together in *Keſteven*, on the Feaſt of St. *Maurice*, fought with the *Danes*, and ſlew 3 of their Kings, with a great multitude of their forces. That night the other *Daniſh* Kings (diſperſed abroad to pillage the Country) with a great booty & many captains, coming to the tents of their routed Companions, with a numerous Army, were inraged with the ſlaughter of their Confederates, in their abſence: Whereupon moſt of the *Engliſh* ſecretly fled away from the *Earl* and their *Captains* in the night *through fear*: who early in the morning having heard divine Offices, and receiving the Sacrament, reſolved not to retreat, but manfully to fight with the *Danes* (though not above 700 to their many thouſands) *being moſt ready to die for the defence of the faith of Chriſt and of their Country*: Whereupon the *Danes* aſſailing them with great multitudes and fury, they all ſtanding and fighting cloſe together, valiantly ſuſteined their aſſaults from morning till evening, without giving ground. Upon which the *Danes* to ſever them, purpoſely feigned a Flight, and began to leave the Field: Hereupon the *Engliſh*, contrary to the commands of their Captains, diſſolving their Ranks, and diſperſing themſelves to purſue the *Danes*, they ſuddenly returned and ſlew moſt of the *Engliſh*, who fought gallantly with them to the laſt gaſp, ſome few of them only eſcaping: After which the *Danes* marching to the *Abby of Croyland*, put the *Abbot* with all the Monks and Perſons they there found (one Child excepted) to the Sword, *after they had extremely tortured them to diſcover where their Treaſures were*; broke up all the Tombs, pillaged and burnt the Abby, with all the Edifices thereof, leaving it a meer ruinous heap; then marching on, laying all the Country waſte before them with fire and Sword, ſparing neither perſon, age, nor ſex, they caſt down, burnt, deſtroyed, and levelled to the Ground the goodly

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Monasteries of *Bradney*, *Peterborough*, *Huntingdon*, *Ely*, with sundry others, murthering as well all the Monks as Nuns therein, which their merciless Swords, after they had first polluted them. To avoid whose barbarous rape, (*m*) *Ebba* Abbess of *Coldingham* and her *Nuns* (by her example and perswasion) *cut off their upper Lips, and Noses, to deform themselves to their lascivious eyes*; which bloody Spectacle preserved their *Chastity* from their *Lust*; but not their *Monasterie* or *bodies* from their *Cruelty*, *they burning them and their Nunnery to Ashes.*

(*m*) *Mat. VVestm. An.* 870. *p.* 313. *Speeds Hist. p.* 383.

Anno 870.

After which, the same year *Ingnar* and *Hubba* matched against St. *Edmund*, who in the year 855. was *chosen King of the East-Saxons* Ab omnibus Regionis illius magnatibus et populis, *by all the Nobles and People of that* Realm (being sprung from the antient Royal blood of the *Saxons*) and compelled to take the Government on him much against his will, being then but 13 years old, and consecrated King by Bishop *Humbert* in the Royal Town called *Bury*. The reason of their malice to this King, (as some of our Historians write) was this, that he was maliciously accused to have murthered their Father *Lothbroc*, driven by a sudden storm in a small boat into *England* as he was hawking at Fowl, by this Kings Faulkoner: who having murthered himself out of meer malice, was by *judgement of the Knights and Lawyers banished the* Realm, *and put alone into* Lothbroc's *Boat, without Oare or Sails for murthering him, and so sent to Sea, being driven in it into* Denmark, *to excuse himself, he maliciously accused the King of this Murther, to these his Sons; Who thereupon invaded* England *with an Army to revenge their Fathers death.* And the Reason why they at this time so extraordinarily prevailed, and over-run the Land, was *the Civil Discords, Wars, and Emulations amongst the* Saxon *kings*; who either out of Malice or Ambition to advance their own Dominion, or base unworthy

(*n*) *Mat. VVestm. Anno* 855. 870. *VVil. Malm. de gest. Reg. l.* 2. *c.* 3. *v.* 13. *Hunt. Hist. l.* 5. *p.* 349. *Hov. Annal. pars* 1. *p.* 416. *Ethel. Hist. l.* 3. *c.* 1. *Chron. Jo. Bromton. col.* 745, 754. 804, 805, 806. *Sim. Dunelm. Hist. de Eccl. Dunelm. l.* 2. *c.* 6. *et de gest. Reg. Ang. col.* 124, 143. *Polychron. l.* 5. *c.* 42. *Fab. Graft. Hollinshed, Caxton, Speed in the life of St. Edmund. Fox Acts and Monuments vol.* 1. *p.* 140. *Propos.* 2. 42.

fear,

fears, would rather induce theſe common Enemies to over-run them, than aſſiſt one another againſt them; which (n) *William* of *Malmeſbury* thus expreſſeth. *Memineris interea lector, quod interim Reges* Merciorum *et* Northanimbrorum, *captata occaſione adventus Danorum, quorum bellis* Ethelredus *inſudabat, a ſervitio Weſt-Saxonum reſpirantes, dominationem ſuam penè aſſeruerant. Ardebant ergo cuncta ſævis popularibus provincia*, unuſquiſque Regum inimicos magis in ſuis ſedibus ſuſtinere, quam compatriotis Laborantibus opem porrigere cnrabat: Ita dum maluit vindicare, quam prævenire injuriam, ſocordiâ ſuâ exanguem reddiderunt Patriam. Dani ſine obſtaculo ſuccreſſere; dum et provincialibus timor increſceret, et proxima quæq, victoria per additamentum Captivorum, inſtrumentum ſequentis fieret, &c. *Northanimbri jamdudum* civilibus diſſentionibus fluctuantes, *adventante hoſte correxerunt diſcordiam. Itaque* Osbirthum *Regem quem expulerant, in ſolium reformantes, magnoſque moliti paratus, obviam procedunt*; *ſed facilè pulſi, infra Urbem* Eboracum *ſe includunt: quâ mox à victoribus ſuccenſâ, cum laxos crines effuſior flamma produceret, tota depaſcens mania, ipſi quoq; conflagrati, patriam oſſibus texêre ſuis*, Mercii *non ſemel obtriti, obſidatu miſerias ſuas levaverunt. At vero* Ethelredus *multis laboribus infractus obiit: Orientalium Anglorum pagi, cum urbibus et vicis à prædonibus poſſeſſi*; *Rex eorum ſanctus* Edmundus, *ab eiſdem interemptus Anno Dominicæ Incarnationis* 870. 12 *Calendas Decembris, temporanea mortis compendio regnum emit æternum.*

(n) De geſt. Reg. l. 2. fol. p. 42.

The manner of King *Edmunds* Martyrdom (o) *Hiſterians* thus relate. An. 870. *Hinguar* King of the *Danes* invading King *Edmunds* Realm with a great Power ſent a Meſſenger to King *Edmund* to demand *the half of his Treaſure and Wealth, and that he ſhould hold his Realm under him; threatning otherwiſe to waſte his Kingdom and extirpate him and his People.* Sed nimis fraudulen-

(o) See thoſe forecited at (m) and Capgrave, Surius, and Ribadenera, Antonius in the life of St. Edmund, Malm. De Geſtis Reg. l. 2. c. 3.

ter *Hinguar* thesauros exigebat, qui Clementissimi Regis **caput potius quam pecunias sitiebat**, writes [q] *Matthew Westminster*. Where upon Bishop *Humbert* advising him *to fly from the* Danes (who approached with their forces towards him) *to save his life*, The King wished; *Would to God that I might preserve the lives of my Subjects, for whom I desire to lay down my life; for this is my chiefest wish, that I may not survive my faithfull Subjects, and most dear friends, which this Cruel Pirate hath thereivishly slain; neither will I stain my glory by flight, who never yet sustained the reproaches of War. The Heavenly King also is my Witness, that no fear of the Barbarians shall separate me from the Love of Christ, whether living or dead.* Then turning to the Messenger, of *Hingnar*, he said, *Thou art worthy to suffer the punishment of death, being wet with the blood of my people; But imitating the example of my Christ, If it should so happen, I am not afraid willingly to die for them*; Return therefore speedily to thy Master, and carry my answers to him: *Although thou takest away my Treasures and riches which the Divine Clemency hath given me, by thy power; yet thou shalt never subject me to thy infidelity: for it is an honest thing to* **defend perpetual liberty**, together with purity of Religion *for which also, if there be need,* **we think it not unprofitable to die:** *Therfore, as thy proud cruelty hath begun, after the servants slaughter cut thou the* **Kings throath;** *because the King of Kings seeing these things, will translate me into Heaven, there to reign eternally.* The Messenger departing, the King commanded his Souldiers to run to their Arms, affirming that **it was a worthy thing to fight both for their Faith and Country**, lest they should prove deserters of their Realm, and betrayers of the people. *And being incouraged* by Bishop *Humbert*, his Nobles, and fellow Souldiers, he marched against the Enemy, and near *Thedford* fought a bloody battel with the *Danes*, from morning to night, the

[q] An. 870. p. 370.

Proposit. 84

Nota.

the place being all ayed red with the bloed of the slain. At which grievous sight King *Edmund* was much grieved, not only for *the great slaughter of his own Souldiers fighting for their Country & native liberty, & the faith of Jesus Christ, & so already Crouned with Martyrdome:* But likewise for the death of the Barbarous Infidels, sent down to Hell in great numbers; which he overmuch lamented. After which battel, retiring to *Hegelsdun* with his forces that were left, he immutably resolved in his mind, *never to fight battel with the Enemies more*. saying only this; that *it was necessary that he alone* **should die for the People, and not the whole Nation perish.** Soon after *Hinguars* Army being recruted by the access of *Hubba* to him, with ten thousand men, he marched to *Hegelsdun*, and surrounded it, that none might escape thence; Whereupon King *Edmund* flying to the Church, and casting down his temporal Armes, *humbly prayed the Father, Son, and Holy Ghost to give him constancy in his passion:* Then the *Danish* Souldiers seising on him, brought him from the Church before *Hinguar*; by whose command he was tyed to a tree hard by, cruelly whipped a long time, then shot through with Darts, wherewith his Body was stuck full; after which, being taken from the tree, his Head was cut off from his Body, with a bloody sword by the Barbarous Executioner appointed for that purpose; *and so he died a most glorious Martyr for his Kingdom, Country, Subjects, and Religion:* to whose memory a famous Monastery was after built; Of which *William of Malmesbury de Gestis Regum, l. 2. c. 13. p. 89.* gives this Relation; 'Quibus Artibus *Edmundus* 'ita sibi omnis *Britanniæ* devinxit incolas, ut beatum 'se in primis astruat, qui Cœnobium illius, vel nummo 'vel valenti illustraret. Ipsi quoque Reges aliorum 'Domini, servos se illius gloriantur, & coronam ei re'giam missitant, magno si uti volunt redimentes com'mercio. **Exactores vectigalium qui alibi Bacchan-**

Proposit. 1. **tur fas nefasque juxta metientes ibi supplices,** *ci-* '*ra rossa um sancti* Edmundi, **litigationes sistunt, ex-** '**perti multorum pœnam, qui perseverandum puta-** '**runt**; which I wish our Tax-Exactors, and Excisers would now remember.

Anno 870. [r] *Ingulphi Hist. p.* 868, 869, 911. Whiles the *Danes* were thus wasting the Kingdoms of *Northumberland* and the *East-Saxons* with Fier and Sword, and martyring *King Edmund* [x] *Beorred* king of *Mercians* was busied in warring against the *Britains*, who infested the Western parts of his Realm: But hearing the *Danes* had invaded the Eastern part of his Kingdom, he came to *London*, and gathering a great Army together, marching with it through the Eastern quarters of his Realm, *he applyed the whole Isle of Ely to his Exchequor, taking into his hands all the lands formerly belonging to the Monastery of* Medehamsted, *lying between* Stamford, Huntindon and Wisebeck, *assigning the Lands more remote, lying scattered through the Country, to his Souldiers. The like he did with the Lands of the Monastery of St.* Pega *of* Rikirk; *retaining certain of them to himself, and giving some of them to his Souldiers. And the like did he with the Lands of all other Monasteries, destroyed totally by the* Danes: whose Lands by Law * escheated to the Crown, and those Lords, whose predecessors founded and endowed them, by the slaughter and chasing away of all the Monks & Nuns & burning of the Monasteries; whose Lands thereupon were resumed and confiscated to the Kings Exchequer: *Et cum cætera Monasteria per Danorum ferocitatem funditus destructa,* **Regali fisco fuerant ascripta, denuo et assumpta, omnibus Monachis eorum necatis, perditis, seu penitus fugatis,** as *Ingulphus* informs us of the Reason; yet many of the Monks of *Croyland* escaping the *Danes* fury, and returning soon after thither again, electing a new Abbot, and repairing their Monastery by degrees, as well as that exigency would permit, thereupon they *enjoyed the sight*

Proposit. 1, 4.

* 7 E. 4. 11, 12. *Brook Escheat* 19.

of

of the whole Abby, and the Isle of Croyland, *with the self same Liberties and Privileges they had from the beginning, dischardged from all secular services, during all the time of this their desolation, & the* Danish *wars, till the time of its restoration*; & after that till *Ingulphus* time, as he records. *Notwithstanding, because many of the Monks were slain, and the Abby burnt down & demolished by the* Danes, *King Beorred thereupon seised some of their lands into his own hands, & gave other of their Lands more remote from the Abby to his stipendiary Soldiers.*

And although venerable Abbot Godric, *took very much paines, frequently demanding restitution of them both from King* Beorred *& his Souldiers, and very often shewed the Charters of the Donors, & the confirmations of former Kings, together with, his own proper Charter, to this Kings, yet he received always nothing but empty words, from & him them: whereupon he at last utterly despaired of their restitution. Perceiving therefore the overmuch malice of the times*, et Militiam * Regis Terrarum cupidissimam, *and the Kings Militia, and Soldiers most covetous of Lands, he resolved with himself in conclusion to passe by these Royal Donations* Surdo Tempore, *in a deaf time; being over-glad & rejoycing, that the Kings grace had granted the whole Island lying round about the Monastery unto it, free and discharged from all Regal exactions, much more specially to him then at that time, which had not happened to many other Monasteries. There departed therefore at that time from the Monastery of* Croyland *these possessions which never returned to this present day: The Mannor of* Spalding *given to Earl* Adelwulfe, *with all its appurtinances: The Mannor of* Deeping *given to* Langfer *a Knight, (or Souldier) and the Kings Baker, with all its appurtenances; The Mannor of* Croxton *given to* Fernod *a Knight (or Souldier) the Kings Ensign-bearer, with all its appurtenances; The Mannors of* Kerketon *and* Kimerby *in* Lindesy, *with all their appurtenances, given to Earl* Turgot; *but* Bukenhale *and* Halington, *then appropriated to the Exchequer,*

* *Are not the Souldiers now sick of the same disease.*

note

Beorred disposed Abbot Lands

Propos. 4.

were afterwards restored to the said Monastery by the Industry of Turketulus *Abbot of* Croyland; *and the gift of most pious King* Edred, *the Restorer of them, with* 12 *other Mannors* (named by *Ingulf.*) *belonging to* Croyland; quas RexBeorredus Fisco suo assumserat, *Which King* Beorred *had then assumed in his Exchequer.* After which K. *Beorred* passing with his Army into *Lindesey, Latissimas Terras Monisterio* Bardney (*totally ruined by the* Danes) *Dudum Pertinentes Fisco suo accepit, remotas vero in diversis patriis divisas jacentes, Militibus suis dedit.* But mark the issue. At last [*f*] the *Danes* returning into *Mercia* Anno 874. *wasting and spoiling all the Country with fire and sword, and destroying all Churches and Monasteries*, King Beorred, *when he beheld all the Land* of England, *in every corner thereof, wasted with the slaughters and rapines of these Barbarians*, vel de victoriâ desperans, vel tot laborum Labyrinthum fastidiens, *either despairing of victory, or loathing the labyrinth of so many troubles, left the Kingdom, and went to* Rome, *where he died few days after, and was there buried in the* English *School, and his Wife following after him, died in her way to* Rome; Some write *he was driven out of his kingdom by the* Danes.

[*f*] *Matthew Westm. Floren. VVigorn. An.* 874. *p.* 313. *Chron. Joh. Bromt. col.* 779, 810. *Sim. Dunelm. Hist. de Gest. Reg. Ang. col.* 127. *VVil. Malm. de Gest. Reg. l.* 1. *c.* 4. *p.* 33. *Huntin. Hist. l.* 5. *p.* 349. *Hoveden Annal. pars prior, p.* 417. *Speeds Hist. p.* 256.

Hereupon the (*t*) *Danes*, Anno 874. substituted in his place in the Realm of *Mercia*, one *Ceolwulfus*, a servant of King *Beorreds*, an Englishman by Nation, *sed Barbarus impietate*; but a Barbarian in impiety. *For he swore fealty, and gave pledges to the* Danes, Quod tributa imposita eis fideliter persolveret, *that he would faithfully pay unto them the Tributes they imposed, and that whensoever they would redemand the Kingdom committed to him, He would resign it without any Resistance, under pain of losing his Head.* Whereupon *he* (as *Ingulphus* records) *going round about the Land*, paucos Rusticos relictos excoriavit, Mercatores absorbuit, Viduas & Orphanos oppressit, religiosos omnes tanquam conscios thesaurorum innumeris tormentis afflixit; *plucked off the Skins of the few Countrymen that were left; swallowed*

Anno 874.

[*t*] *Ingulphi Hist. p.* 869, 870. *Florent. VVigorn. An.* 874. *p.* 313. *Chron. Joh. Bromt. col.* 810. *Simeon Dunelm. de Gest. Reg. Ang. col.* 127. *VVil. Malmesbury de Gest. Reg. l.* 1. *c.* 4. *p.* 33. *Huntind. Hist. l.* 5. *p.* 349. *Hoveden Annal. pars prior p.* 417.

up

up the Merchants, oppreſſed the Widows and Orphans, and afflicted all Religious Perſons, as conſcious of hidden Treaſures, with innumerable torments: whence amongſt very many evils he did, Impoſing a Tribute of a thouſand pounds upon *Godric*, the venerable Abbot of *Croyland*, and his miſerable Freers, he *almoſt undid the Monaſtery of* Croyland. 'For no 'man after that, by reaſon of the overmuch Poverty of 'the place, would come to converſion; Yea *Abbot Go-* 'dric being unable to ſuſtain his profeſſed Monks, diſper- 'ſed many of the Monks amongſt their Parents and other 'Friends of the Monaſtery through all the Country, very 'few remaining with him in the Monaſtery, and protra- 'cting their life in greateſt want. Then all the Cha- 'lices of the ſaid Monaſtery except 3. and all the ſilver 'Veſſels, beſides the Crucible of King *Withlafus*, and 'other Jewels very precious, being changed into Mo- 'ny, or ſold for Mony, were ſcarce able to ſatisfie the 'unſatiable covetouſnels of *Ceolwulfe*, the Vice-roy: 'who at laſt, by his Lords the *Danes*, moſt juſt in this, '(*after all his Rapines and Oppreſſions of the People by unjuſt Taxes and impoſts*) was depoſed and ſtripped na- 'ked of all his ill-gotten Treaſure, even to his very 'Privities, and ſo ended his life moſt miſerably.' And the Kingdom alſo of the *Mercians* at this very time, (King *Alfred* prevailing againſt the *Danes*) was united to the Kingdom of the *Weſt-Saxons*, and remained ſo united ever after, when it had continued a Kingdom from the firſt year of *Penda* (the firſt King thereof) to the laſt times of this miſerable Viceroy *Ceolwulph*, about 230 years: Of which Kingdom (*a*) *William of Malmesbury* thus concludes; *Ita Principatus* Mercirorum, *qui, per tumidam gentilis viri inſaniam ſubitò efflоruit, tunc per miſeram ſemiviri ignaviam omninò emarcuit*, Anno Dom. 875. though *Speed* poſt-dates its period in the year 886. Whence it is obſervable, that unjuſt Rapines, Taxes, Oppreſſions ſpeedily & ſuddenly deſtroy both Kings and Kingdoms. The

Præpoſit. 1. 4.

(*a*) *De Geſt. Reg. l.* 1. *c.* 4.

The next year following Anno 876. (*b*) *Halden* king of the *Danes*, seising upon the seditious kingdom of *Northumberland*, *sibi eam, suisq; Ministris distribuit, illamq; ab exercitu suo coli fecit anobus Annis*; totally dispossessing the seditious, murtherous *Northumberlanders* thereof; who but a little before had expelled both their King and Archbishop out of their Realm. This *Halden* and his Souldiers *miserably wasted and destroyed the Churches of God in those parts, for which the wrath of God suddenly fell upon* Halden; *who was not only struck with madnesse of mind, but with such a most loathsome disease in his body, which much tormented him, that the intollerable stink thereof made him so odious & loathsome to his whole Army, that being contemned and cast out by them all, he fled away from* Tine, *only with three Ships, and soon after perished with all his Plundering, Sacrilegious Followers*; The *Danes* elected *Guthred* king in his stead, possessing this seditious Realm of *Northumberland* till dispossessed of it by king *Edmund* An. 944. who then annexed it to his kingdom.

(*b*) *An. 876. Mat. VVestm. & VVigorn. An. 876. Huntingd. Hist. l. 5. p. 329. Hoveden, Annal. pars prior p. 417. Ethel. Hist. l. 4. c. 3. p. 844. Sim. Dunel. Hist. de Dunel. Eccles. col. 14, 17, 21. Hist. de Sancto Cuthberto col. 70. & de Gest. Reg. col. 155. Proposition 4.*

Our Noble *Saxon* King (*c*) *Alfred* the *first anointed king* of England, (as glorious for his most excellent Laws, transcendent Justice and civil Government, as for his Martial Exploits, Victories; and for his incomparable Piety and extraordinary bounty to the Clergy and Learned men) comming to the Crown Anno Dom. 871, in the years 873, 874, and sundry years following, by *common consent of his Wise men, commanded long Ships and Gallies to be built, throughout the Realm, and furnished with Mariners, to guard the Seas and encounter the* Danish *Ships and Pirates, which then infested and wasted the Realm, from time to time*: whose forces he often encountred, as well by Sea as by Land, with various success. At last having obtained the

Anno 877. (*c*) *Florentius Wigorn. & Mat. westm. An. 871 to 900. See Malmes. Huntingd. Asser. Fab. Holinshed, Speed, and others in his life. Lamb. Arch. Spelman concil. p. 360, 361. Ingulph. Histor. p. 870, 871. Chron. Io. Brom. col. 809 to 832.*

Monarchy of all *England*, and *received their Homages and Oaths of Fealty to him*, he appointed *ſpecial Guardians to guard the Seas and Sea-coſts in all places; whereby he very much freed the Land from the* Danes *devaſtations.* About the year 887. (*even in the midſt of his wars, when Laws uſe to be ſilent*) *he compiled a body of Eccleſiaſtical and Canon Laws out of the ſacred Scriptures, and the Laws which his pious predeceſſors*, Ina, Offa, *and* Ethelbert *had religiouſly made and obſerved; antiquating ſome of them, retaining, reforming others of them, and adding ſome new Laws of his own, by the* advice and counſel of his wiſemen, & of the moſt prudent of his Subjects; *the obſervation of which Laws was enjoyned* by the conſent of them all. *Wherein certain fines and penalties were preſcribed for moſt particular offences, which might not be altered or exceeded*: Amongſt *other Laws*, (as (*d*) *Andrew Horn*, and others record) this King and his Wiſemen ordained: *That a Parliament twice every year, and oftner in time of Peace, ſhould be called together at* London, *that therein they might make Laws and Ordinances to keep the People of God from ſin, that they might live in peace, and receive right and Juſtice by certain cuſtoms and Holy Judgements*; and not be ruled in an arbitrary manner, but by ſtable known Laws.

Anno 887.

Propoſ. 5, 6.

(*d*) *Mirrour of Juſtices, c. 1. ſect. 3. p. 10. c. 5. ſect. 1. Cooks Preface to his 9 Reports 1 Inſtitutes f. 110. See Spel. Concil. p. 347.*

Propoſit. 5. 6.

And it was then agreed. **that the King ſhould have the Soveraignty of all the Land** unto the midſt of the Sea invironing the Land, as belonging of Right to the Soveraign Juriſdiction of the Crown. 'This King, '[*e*] by appointing Hundreds and Tithings through-'out the Realm, with Conſtables and Tithing men, 'who were to take ſureties, or pledges for the good 'behaviour of all within their Juriſdictions, or elſe 'the hundred to anſwer all offences & injuries therein 'committed, both to the party and king, cauſed ſuch a 'general peace throughout the Realm; and ſuch ſecurity 'from Robbers and plunderers even in thoſe times of 'war, That he would hang up golden bracelers in the

(*e*) *See Mat. Weſtm: An. 892 Ingulphi Hiſt. p. 870. 871. Chron. Iohan. Brompton col. 818 819 Chron. Will. Thorn cap. 5. Sect. 4 col. 1777.*

Mirrum Mundi

'High-ways, and none durst touch them, and a Girl 'might have travelled safely, laden with Gold, from 'one end of the Realm to the other, without any vi-'olence. [f] *Matthew Westminster*, and *Florence* of *Wor-'cester* record, *That he spent a great part of his time* in Compositione legum, Quibus **Milvorum Rapacitatem Reprimeretur**, & simplex fidelium devotio firmaretur; And amongst many other memorable acts of his Justice, *as he frequently examined the Judgements and Proceedings of his Judges and Justices, severely checking them when they gave any illegal Judgement against Law and Right, meerly out of Ignorance, of which they were to purge themselves by Oath, that they could judge no better: so he severely punished them when they thus offended out of Corruption, Partiality and Malice.* (g) *Andrew Horn* in his *Mirrour of Justices* records, *That he hanged up no less than 44 of his Judges and Justices in one year*, as **Murtherers and Capital Offenders**, *princicipally, for their false judgements, in condemning and executing sundry of his people* **against Law, without any lawfull tryal by their Peeres, or Verdict and Judgement by a sworn Jury**; *or upon in sufficient evidence, or for Crimes not Capital by the Laws.* The names of these *Judges* with their *several offences*, you may read at large in *Horn*. Had those pretended Judges of a new edition, who of late arraigned, condemned, executed the King, Nobles, Gentlemen and Freemen of *England* in strange new arbitrary *Courts of high Iustice*, without any legal Indictment and Tryal by a sworn Jury of their peers; and many of them, for offences not Capital by any known Lawes or Statutes of the Realm, and upon very slender evidence, lived in this *Just Kings reign*, they might justly fear he would have hanged them all up, as *Murtherers and Capital Malefactors*, as well as these 44 Judges, not altogether so peccant in this kind as they: this form of tryal by sworn Juries of their Peers then in use, being since confirmed by the

(f) *Mat. Westmn. An.* 888 *Florent. Wigorn. An.* 887 *p.* 326. 327.

(g) *Mirrour of Just. cap.* 5. *Sect.* 3. *p.* 296. *to* 301.

Proposit. 2.

Great

Great Charters of King *John* and *King Henry the* 3, ſome *hundreds of ſubſequent Statutes*, and the *Petition of Right* not known in *Alfreds* days.

I find in the Preface to King *Alfreds* Laws (of which Laws Abbot *Ethelred* gives this true encomium, Leges Chriſtianiſſimas & ſcripſit, & promulgavit, in quibus fides ejus et devotio in deum, ſollicitudo in ſubditos, miſericordia in pauperes, *Juſticia circa omnes* cunctis legentibus patet) this obſervable paſſage: *That the Apoſtles & elders aſſembled in a Synod at* Jeruſalem, Acts 15. *in their Epiſtle to the Churches of the Gentiles, to abſtain from things offered unto Idols; added this Summary of all Laws*: And what ye would not to be done to your ſelves, that doe ye not to others: *from which one precept it ſufficiently appeareth*, unicuique ex æquo jus eſſe reddendum; *that right or Law is of Juſtice to be rendred to every one; neither will there be need of any other Law or Law-book whatſoever, if he who ſits Judge upon others, ſhall only remember this*, that he would not himſelf ſhould pronounce any other ſentence againſt others than what he would ſhould be paſſed againſt himſelf in their Caſe. *But when the Goſpel was propagated, many Nations, and amongſt them the* Engliſh, *embraced the faith of Gods word, there were then held* ſome Aſſemblies and Councils of Biſhops, and other moſt illuſtrious Wiſe men, throughout the World, and likewiſe in *England*: *and theſe being throughly inſtructed by Gods mercy, did now firſt of all*, Impoſe a pecuniary Mulct upon Offenders; *and without any Divine Offence, delegated the Office of exacting it to* Magiſtrates, *leave being firſt granted*: Only on a Traitor and Deſerter of his Lord (or King) they decreed, that this Milder puniſhment (by pecuniary Mulcts) was not to be inflicted: *becauſe they thought juſt, that ſuch a man was not at all to be ſpared; both becauſe God would have Contemners of him unworthy of all mercy, and likewiſe becauſe Chriſt did not at all compaſſionate them who put him to death*,

* *De Gen. Reg. Ang. col.* 355.

(*b*) *Lambardi Archaion Spelmanni Concil p.* 362.

Propoſit. 5. 4. 7.

death, but appointed the King to be honoured above all others: These therefore in many **Councils** singulorum scelerum pœnas constituerunt, **ordained the punishments of every kind of offences**, *and committed them to writing.*

From whence it is apparent, First, That all capital, coporal, and pecuniary Mulcts and penalties for any civil or Ecclesiastical offences whatsoever, inflicted on the Subjects of this Realm, in that and all former ages since they embraced the Gospel, were only such as were particularly defined and prescribed by their Parliamentary Councils, and the Laws therein enacted, and not left arbitrary to the King, Judges, or Magistrates, as it appears by the forecited passages of *Beda*, *Malmesbury*, *Huntindon* and *Bromton* concerning King *Ethelberts* Laws, part 2. p. 50. by the Laws of King *Ina*, Lex 2, 3, 4, 6, 7, 9, 10, 11, 12, 13, 14, 15, 21, 22, 25, 26, 27, 30, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 46, 47, 48, 49, 54, 57, 58, 64, 73, 75, 76, 80. & more specially by the Laws of King *Alfred* himself, Lex 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 17, 20, 21, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 38, 39, 40, 41, 42, 44, 45, 46, 48, 51. with the Laws of our other *Saxon* kings, prescribing particular fines, pecuniary, corporal and capital punishments for all sorts of offences and injuries, to avoid all arbitrary proceedings and censures in such Cases. 2ly. That no imprisonment Corporal, Capital, or pecuniary Mulcts, or punishments whatsoever, justly might, or legally ought to be then inflicted upon any Malefactors or Trespassers whatsoever, but when, where, and for such offences only, as the known Parliamentary and common Laws then in force, particularly warranted and prescribed: which penalties and Laws could not be altered nor abrogated, but by Parliamentary Councils only. 3ly. That Common right and Justice, were then to be equally dispensed to all men, by our Kings, Judges, and other Magisttates, according to the Laws then established, in such sort as they would

have

have them administred to themselves in the like Cases. 4ly. That wilfull Traitors and Deserters of their lawfull Lords & Soveraigns, were not to be spared or pardoned by the Laws of God or Men, nor yet punished only with fines, but put to death without Mercy: Wherce this Law was then enacted by king *Alfred* and his Wisemen. (*i*) Lex 4. Si quis vel per se vel susceptam vel suspectam personam **De morte Regis tractet, vitæ suæ reus sit, et omnium quæ habebit**, *and if any fought or drew any weapon in the Kings house, and was apprehended*, sit in arbitrio Regis, sit vita, sit mors, sicut ei condonare voluerit, Lex 8. because it might endanger the kings person.

(*i*) *Chron. Ioban Bromton, col. 822, and Lambard. Archaion.*

This king *Alfred* made two special Laws for securing even Leets, and Inferiour Courts of Iustice from *armed violence and disturbances by fighting*, which I shall recite.

(*k*) Lex 41. *Si quis coram* **Aldermanno Regis pugnet. In publico**, *emendet Weram & Witam sicut rectum sit, & supra hoc* CXX s. *ad Witam.*

(*k*) *Chron. Ioh Bromt. col. 825, & Lambardi Archai.*

Lex 42. *Si quis* **Folemot** *id est populi placitum.* **Armorum exercitione turbabit**, *emendet* **Aldermanno** CXX s. *Wita, id est foris factura.*

Spelmanni Concil. p. 369. which somewhat deprives the sense of it in the translation, and make it Lex 51.

What Fines and punishments then do they deserve, who not only fight before, and disturb Aldermen and Leets with their Armes, but even disturb, fight, and use their Armes against our Aldermen themselves, yea, all the Aldermen, Peers and Great men of the Realm, assembled in the highest, greatest Parliamentary Councils, and over-awe, impriton, secure, seclude, and forcibly dissolve them at their pleasures? as some of late times have done, beyond all former Presidents.

During the reign of this Noble king *Alfred*, *Gythro* the *Dane*, (sometimes stiled *Godrin*, or *Guthurn*) (*l*) Anno 878. with an invincible Army running over

Anno 878.

(*l*) *See Mat. Westm. Florent. VVigorn. Simeon Dunelm. Bromt. Huntindon, Hoveden, Polychronicon, Fabian, Holinshed, Speed, Asser. Ethelwerd, Fox and others, An. 878, 879.*

all the Coasts of *England*, wasting the Country, and depopulating all sacred places wheresoever he came, **quicquid in auro et argento rapere potest, spolitibus erogavit**, and setting upon **loca quæque munita**, forced King *Alfred* (*being so distressed that he knew not what to do, nor whither to turn himself*) to retire and save himself in the Isle *Æthelingie*, for a season; till recollecting his scattered Subjects and Forces together, he vanquished *Githro* and his Army in a set battel at *Ethendune*, and then besieging him and his remaining forces 15 dayes in a Castle, to which they fled, compelled them by Famine and the Sword, *to make peace with him upon this Condition*: **ut Regni et Regis infestationem perpetuo abjurarent**; *That they should perpetually abjure the infesting of the King and Realm, and that they should turn Christians*: which they accordingly performed, *Githro*, with 30 of the *choicest men* in his Army being baptized at *Alve*, 15 days after, king *Alfred* being their Godfather, and giving him the name of *Æthelstane*. After which *Alfred* feasting him and his Captains 12 days in his Court, gave *Githro Eastengland* to inhabit, wherein king *Edmund* reigned, *to be held of and under him*: Whereupon *Githro* and his *Danes An.* 879. leaving *Cirencester* marched into the East parts of *England*, which he divided amongst his *Souldiers*, who then began to inhabit it by *Alfreds* donation.

U. on this accord, or some time after, King *Alfred* and *Gythro*, by the *Common consent of their Great Councils and wise men*, made *and enacted certain civil and Ecclesiastical Laws, for the government of their People and Realms*, recorded in *Bromton*, *Lambert*, and *Spelman*, where those who please may peruse them: the *Prologue* and 2 *first Laws* whereof, I shall only recite, as both pertinent to my purpose, and seasonable for our times, much opposing the Magistrates coercive power in matters relating to God and Religion.

Propos. 5.

Hoc

(m) Hoc eſt conſilium quod *Alredus* Rex et *Godrinus* 'Rex eligerunt, et condixerunt, quando *Angli* et 'Dani ad pacem et concordiam plerè convenerunt, 'et Sapientes, et qui poſteà ſucceſſerunt, ſæpiùs Hoc eſt aſſiduè renovantes, in bonum ſemper adduxerunt.

(m) *Chron. Io. Brom. col.* 819. *Spelman. conc. p.* 375. 376, 390, 391. *Propoſition* 6.

Cap. 1. *Inprimis eſt, ut unum Deum diligere velint, et omni Paganiſmo ſedulo renunciare:* et inſtituerunt ſecularem Iuſtitiam, pro eo quod ſciebant, quod non poterant multos aliter caſtigare: plures verò Nolebant ad Dei cultum ſicut deberent aliter: Inclinari; et ſecularem emendationem inſtituerunt, communem Chriſto, et Regi, ubicunque Recuſabitur Lex Dei juſtè ſervari ſecundum dictionem Epiſcopi. *Et hoc eſt primum edictum Eccleſiæ, Pax intra parietes ſuos, ut Regis* Handgrith, *ſemper inconvulſa permaneat.*

Cap. 2. *Siquis Chriſtianitatem ſuam malè mutat, vel Paganiſmum veneretur verbis vel operibus, reddat ſic* Weram, *ſic* Witam, *ſic* Laſhlyte, *ſecundum quod factum ſit:* that is, Let him be fined, and ranſomed according to the quality of his offence.

This Noble King *Alfred* (who fought no leſſe than 46 bloody Battels with the *Danes* by Land and Sea for his Countries Liberties) Although he was involved in perpetual Wars and Troubles with the *Daniſh* Invaders all his daies, as our Hiſtorians and this his (n) *Epitaph* Demonſtrates,

(n) *Huntingd. Hiſt. l.* 5. *p.* 352 *Aſſer. Ælerced. Reg. Geſt. Chron. Io. Br. col.* 819. *Camb. Britan, p.* 224.

Nobilitas innata tibi, probitatis Honorem
Armipotens Alurede *dedit, Probitaſq́, laborem;*
Perpetuumque Labor nomen; cui mixta dolori
Gaudia ſemper erant, ſpes ſemper mixta timori;
Si modò victus erat, ad craſtina bella parabat:
Si modò victor erat, ad craſtina bella pavebat.
Cui veſtes ſudore jugi, cui ſica cruore
Tincta jugi, quantum ſit onus regnare probarunt.
Non fuit immenſi quiſquam per climata mundi

Cui

Cui tot in adversis vel respirare liceret.
Nec tamen aut ferro contritus ponere Ferrum
Aut Gladio potuit vitæ finisse Labores.
Iam post transactos Regni vitæque Labores
Christus ei sit vera quies sceptrumque perenne.

Yet (o) *these things are remarkable in him.* 1. *That he most exactly and justly governed his people by and according to his and his Predecessors known Laws, in the midst of all his Wars*; not by the harsh Laws of Conquest and the largest Sword. 2. That he advanced Learning and all sorts of Learned Men, erecting *Schools of Learning, and the famous University of* Oxford; which he *founded, or at least refounded when decayed*, in the heat of all his Wars and Troubles. 3. That he was so far from spoyling the Church and Churchmen, or any other his Subjects of their Lands, Tithes or Revenues to maintain his perpetual Wars against the impious Pagan *Danes*, who destroyed all Churches, and Religious, as well as other Houses, where ever they came; that he not only repared, adorned, endowed many old decayed Churches and Monasteries, but likewise in the year 888, he built two new *Monasteries of his own*, at *Ethelingei* and *Shaftesbury*, and endowed them *with ample riches and possessions*; and by sundry Charters gave several Lands to the Churches of *Durham*, *Worcester*, and *Canterbury*. Moreover he not only duly paid Tithes and other Duties to the Church himself, but also by his Laws, enjoyned all his Subjects under sundry mulcts, justly to pay *Tithes* and *Churchels to their Priests and Ministers*, *with all other Duties and Oblations belonging to the Church for the maintenance of the Ministers and Gods worship*: together with *Peterpence* for the *maintenance of the* English *School at* Rome; *prohibiting all men to invade the Churches Rights and Possessions under severe penalties.* 4. That he equally divided all his annual Revenues into

(o) Mat. west. wig. Ass. Men. An. 888, 898. Æthel. Abbas de Gen. Reg. Ang. col. 355. Chron. Io. Brom col. 814, 818. Sim. Dunelm. Hist. de Gest. Reg. col. 132, 133. Wil. Mal. de Gest. Reg. l. 25. c. 4. Ingulph. Hist. p. 870, 171. Hov. Annal. pars 1. p. 420, 421. Ethelwerdi Hist. l. 4. c. 3. Polychron. Fab. Caxton, Holinshed, Grafton, Speed in the life Alfred. of Camd. Brit. p. 378, 379. Spelman concil. p. 354 to 380. Antiq. Eccl. But. p. 43.

'to two equal parts: The first moity was for Pious u-'ses, which he subdivided into three parts. *The* '*first* parcel he bestowed in Almes, to relieve the poor 'both at home and in forein parts; *The second*, he be-'stowed on Religious Houses and Persons; *The third*, 'he gave towards the maintenance of Schools, Scho-'lars, Doctors, and learned Men of all sorts, resort-'ing to and liberally rewarded by him according to 'their merits. *The other* moity was for civil uses, 'which he likewise divided into 3 equal portions. 'The first he gave unto his Souldiers; whom he divi-'ded into 3 Squadrons: The first Squadron, which 'were Horse, waited one month on him at his Court, '(*as his Life-guard*) whiles the other two were im-'ployed in military expeditions in the Field: And 'when their month expired, they all returned from 'the wars, and then another new Company succeed-'ed them; And when their Month was ended, they 'returning to their Houses, the other Company succeed-'ed them. And so they successively kept their monthly 'courses during all his Reign, being one month in actu-'al service, and two months at home about their own 'affairs. The second part he gave to his Workmen 'and Artificers of all sorts, skilfull in all Worldly af-'fairs. The third part he gave to Strangers in Royal 'Gifts and Presents, and that as well to the Rich as 'Poor. *Besides*, he had a very great Care *Ne à Vicecomitibus et Ministris pauperes opprimerentur, et indebitis exactionibus gravarentur*; That the poor people 'should not be oppressed by Sheriffs and other Offi-'cers, nor burthened with **unjust Exactions or Contributions**; Yea by his large Almes and Gifts he sent *Propos.* 8. 'to *Rome*, he procured the *English* School to be **freed 'from all Taxes and Tributes** by the Popes special 'Bull.' And we never read he imposed the least *publick Tax* upon his Subjects during all his wars and Exigences, by his own Regal Power, upon any pretext

of publick Necessity, Danger, Defence or Safety of the Realm against the Numerous Invading, plundering *Danish* forces both by Sea and Land; Which our late and present *Ægyptian* Tax-masters may do well to consider.

Anno 894. *Sim. Dunelm. Hist. de Dunel. Eccl. c.* 13, 14. *col.* 22, 23.

In the year of our Lord 894. this King *Alfred* and *Guthurn* the Dane, gave to the Church of St. *Cuthert* in *Durham*, all the Lands between *Weor* and *Tyne*, for a perpetual Succession, free from all *Customs and secular Services, with all Customes, Saca, and Socna, and infangtheof thereunto belonging, with sundry other Priviledges, which they ordained to be perpetually observed*, Non solum *Anglorum* sed et *Danorum* consentiente et collaudante exercitu; *by the consent and approbation of the* ARMY, *not only of the* English *but* Danes also: Has *Leges & hac Statuta* (which proves that it was done by a *Parliamentary Counsell* then held in both their Armies,) *Quicunque quolibet nisu Infringere præsumpserint, eos in perpetuum, nisi emendaverint, Gehennæ Ignibus puniendos, anathematizando*, Sententia omnium contradidit.

Propos. 10.

(q) *Spelman concil. p.* 381 *to* 387.

I pretermit the (q) *Welsh Synods* held under the Bishops of *Landaff* during King *Alfreds* Reign (as Sir *Henry Spelman* conjecture, in whom the Reader may peruse them) wherein the Bishop of *Landaff* and his *Clergy* excommunicated some of their petty *Welsh Kings for Murder, Perjury, violating the Churches Patrimony*; and *Injuring the Bishops family*; who upon their Repentance and Reconciliation gave all of them some *parcels of Land to the Church of* Landaff. The rather because I conceive them fabulous, *there* being *no such forms of Excommunication used in those dayes*, as (r) Sir *Henry Spelman proves*, nor any such Episcopal Synods held in *England* under King *Alfred* himself. 'The

(r) *Spelman, concil. p.* 353, 378, 380.

'barbarous *Danes* having throughout all *England* with 'fire and sword utterly wasted and destroyed all Cities, 'Towns, Castles, Monasteries, Churches, put most of 'the Bishops, Abbots, Clergy to the Sword, and almost 'quite deleted the knowledge of Learning and Religi-

on

'on out of the whole Nation; insomuch that there 'were very few spiritual persons on this side *Humber*, who could either understand the Common prayers in the '*English* tongue, or translate any writing out of *latine* into '*English*; yea so few, that there was not so much as one 'man on the South-side of the *Thames* that could do it, 'till King *Alfred* (*after his Conquest of the* Danes *in the 'latter part of his Reign*) restored Learning and Religi-'on again by Degrees;' as this King himself records in expresse terms, in his *Epistle to Bishop Wulfug*, by way of Preface to his own Translation of *Gregories Pastorals* into the *English Saxons* Language.

King *Alfred* deceasing, his Son *Edward* surnamed the *Elder*, (*s*) succeeding his Father in the year of Christ 901, thereupon Prince *Æthelwald* his Uncles Son, *aspiring to the Crown without the consent of the King and Nobles of the Realm*, seised upon *Oxlie* and *Winburne*: whereupon King *Edward* marching with his Armie against him to *Bath*, he fled from *Winburne* to the *Danes* in *Northumberland* for assistance: who being glad thereof, *they all make him King and Prince over all their Kings and Captains*: Whereupon they invading *Essex* and *Mercia*, King *Ed.* raised a great Army, chased them into *Northumberland*, and harrowed the whole Country to the Lakes of *Northumberland*; where the *Kentishmen* remaining (contrary to the Kings Command, and Messengers sent to them) after the retreat of the rest of the Army; The *Danish* Army upon this advantage setting upon them, they gallantly defending themselves, slew their new King *Æthelwald*, with King *Eorit*, and sundry of their chief Commanders, and many of their Souldiers, though they lost the field. This King and *Edelfled* his Sister, Queen of *Mercians*, to prevent the frequent eruptions, plunders the *Danes*, repaired many *old ruinated Towns, and built many new ones in convenient places, which they replenished with Souldiers, to protect the Inhabitants and re-*

(*s*) *Ethel. Hist. l. 49. c. 4. Mal. de Gest. Reg. l. 2. c. 5. Matth. Westm. Florent. Wigorn. Sim. Dunelm. Huntingd. Hov. Ethel. Bromt. Polychon. Ethelr. Abbat. Fab. Holinshed, Grafton, Speed in the life of Ed. the Elder and An. 901 to 925.*

pell the Enemies, whereby the Common people were ſo incouraged, and became ſuch good Souldiers, that if they heard of the Enemies approach, they would fight and rout them,

Propoſit. 3. Rege etiam & Ducibus inconſultis in certamen ruerent, eiſque ſemper numero & ſcientia præliandi præſtarent, ita hoſtes contemptui militibus, Regi riſui erant, as *Malmesbury* writes. The Country people themſelves fighting with the *Danes* at *Ligetune*, put them to flight, recovered all the prey they had taken; and likewiſe the *Danes* Horſes, as they likewiſe did in ſome other parts. Amongſt other places, this King repaired the walls of *Colcheſter*, put warlike men in it, *& certum eis ſtipendium aſſignavit*; and aſſigned them a certain ſtipend, as *Mat. Weſtm.* records, neither he, nor other our Hiſtorians making mention of *aſſigned wages*, to any other Garriſons or Souldiers in that age; At laſt the *Danes* in moſt places throughout *England*, perceiving King *Edwards* power and wiſdom, *ſubmitted themſelves unto him, elected him for their King and Patron, and ſwore homage and fealty to him*; as likewiſe did the Kings of *Scotland*, *Northumberland*, and *Wales*.

An. 905. [1] *VVil. Malmesb. de Geſt. Reg. l. 2. c. 5. p. 47, & 48. Mat. VVeſtm. An. 905. Antiq. Eccleſ. Brit. p. 45. Gervaſius Dorobern. Act. Pont. Cant. col. 1644. Godwin in the life of Plegmund, Spelm. Concil. p. 387, 388. Ingulphi Hiſt. p. 877.*

In the year of Grace 905. This [1] King *Edward* aſſembled a *Synod* of the *Senators of the Engliſh Nation*, as *Malmesbury*, or *a great Council of Biſhops, Abbots, and faithfull people* (as *Matthew Weſtminſter*, and others ſtile it) *in the Province of the* Gewiſii; *which by reaſon of the Enemies incurſions had been deſtitute of a Biſhop for 7 years ſpace. Whereupon the King and Biſhops in this Council, taking good advice, made this wholſom conſtitution; That inſtead of 2 Biſhops, whereof one had his Sea at* Wincheſter, *the other at* Schireburn, 5 *Biſhops ſhould be created*; ne Grex Domini, abſque cura Paſtorali, luporum incurſionibus quateretur: *whereupon they in this Council elected 5 Biſhops; to wit* Frithſtan, *for* Wincheſter; Athelin *for* Schireburn; Ædulfe *for* Wells; Werſtan *for* Crideton; *and* Herſtan *for* Cornwal; *aſſigning them their ſeveral Sees and Dioceſs*; and

appoint. 5. two

two other Biſhops for Dorcheſter and Cirenceſter, all conſecrated by Archbiſhop *Plegmond* at Canterbury *in one day*. *Wil. of Malmesb.* and ſome others write, *that this Council was ſummoned upon the Letter of Pope* Formoſus, *who excommunicated* king Edward *with all his Subjects, for ſuffering the Biſhopricks of* Winton *and* Scireburn *to be void for 7 years ſpace together*: But this muſt needs be a great miſtake, ſince *Pope Formoſus* was dead ten years before this Council, and before theſe Biſhopricks became void, and his pretended Epiſtle to the Biſhops of *England* makes no mention at all of the king, as Sir *Henry Spelman* well obſerves. *Propoſ.* 5, 6.

In the year 906. (*u*) king *Edward* made a Peace and firm agreement with the *Danes* of *Northumberland*, and East-England, at *Intingford*, when (as ſome think) he and *Guthurn* the *Dane* reconfirmed *the Civil and Eccleſiaſtical Laws formerly made and ratified by his Father* King Alfred *and* Guthurn. But *Guthurn* dying in the year 890, full eleven years before this *Edward* was king, could not poſſibly ratifie theſe Laws at the time of this Accord, being 16 years after his deceaſe, as the *Title* and *Prologue* to thoſe Laws in Mr. *Lambard* and *Spelman* erroneouſly affirm; wherefore, I conceive, that this confirmation of theſe Laws was rather made in the year 921. when all our *Hiſtorians* record; that after king *Edward* (Anno 910. had ſent an army into *Northumberland*, *againſt the perfidious and rebellious* Danes, *ſlain and taken many of them Priſoners, and miſerably waſted their Country for 4 days ſpace, for breaking their former Agreement with him: after his Siſter* Ægelfled, *An.* 919. had forced the *Danes* at *York* to agree, *and ſwear, that they would ſubmit to her and her Brothers pleaſure in all things*; and after *Edward* had vanquiſhed the other *Danes*, *Scotch* and *Welſh* in many Battles; thereupon, in the yeat 921. the king of *Scots*, with all *his Nation*, *Stredded* king of *Wales*, with all *his people*, et Reginaldus (or Reginaldus) *Reginald King of the* Danes, *with all the* Engliſh *and* Danes *inhabiting* Northumber-

An. 906, 921.
[*u*] *Lambard in Archaion. Spel. concil. p.* 390, to 400. *Mat. weſtminſter, vigorn. Huut. Hoveden, Sim. Dunelm. Brom. and others. An. Dom.* 906, 910, 918, 921.

Propoſ. 5.

land (of which *Reginald* then was King) *comming to King* Edward, An. 921. *submitted themselves unto him, elected him for their Father and Lord, and made a firm Covenant with him*; And therefore I conjecture that *Gulburnus* in the Title and Preface of these Laws, is either mistaken, or else mis-written for *Reginaldus*, then King of these Northern *Danes*, who had no *King* in the year 906, that I can read of in our Historians.

(x) *Abbot Ethelred*, gives this Encomium of this Kings transcendent modesty and justice, *Rex* Edwardus, *vir mansuetus et pius, omnibus amabilis et affabilis, adeo omnium in se provocabat affectum*, ut Scotti, Cumbri, Walenses, Northumbri, *et qui remanserant* Daci, *eum non tam in Dominum ac Regem, quam in Patrem cum omni devotione eligerent. Tanta dehinc Modestia regebat Subditos*, tanta Justitia *inter proximum et proximum judicabat, ut contra veritatem non dico nihil velle, sed nec posse videretur; unde fertur quibusdam iratus dixisse*; dico vobis, si possem vicem vobis rediidissem. *Quid non posset Rex in Subditos, Dominus in Servos, Potens in infirmos, Dux in milites?* Sed quicquid non dictabat æquitas, quicquid veritati repugnabat, quicquid non permittebat Justitia, quicquid Regiam mansuetudinem non decebat, *Sibi credebat impossibile.*

(x) *De Genealogia Reg. Ang. col.* 358.

I wish all our modern domineering Grandees would imitate his presidential Royal Example. Yet I read of one injurious Act done by him, (y) After the decease of his renowned Sister *Elfleda*, Queen of *Mercia*, Anno 920. he disinherited her only Daughter *Alfwen* (or *Elwyn*, his own Neece) of the *Dominion of all* Mercia, *who held that Kingdom after her Mother*, seising and Garrisoning *Tamesworth*, and *Nottingham* first, and then disseising her of all *Mercia*, uniting it to his own Realms, and removing her thence into *West-Sex*. *Magis curans an utiliter vel inutiliter, Quam an juste vel injuste*: Writes *Henry Huntingdon*, which

(y) *Huntingd. Hist. l. 5. p. 354 Hov. An. pars posterior. p. 422. Mat. Westm. Vigorn. Sim. Dunel. Anno* 920. *Chron. Io. Eromton col.* 835.

Propos. 4.

which inurious action, *Si violanda ſit fides regni cauſâ violanda*, will not excuſe.

The Chronicle of *Bromton* records, that King *Edward* as he inlarged the bounds of his Kingdom more than his Father; So *Leges condidit*, he likewiſe made Laws to govern it: which are there regiſtred to Poſterity in two parcels, as made at ſeveral times, but in what year of his Reign this was, it informs us not, The firſt of theſe Laws, declaring his zeal to publick Juſtice, according to the Laws then in Force, is this. (x) *Col.* 831, 835, 836, 837.

Edwardus Rex *mandat et præcipit omnibus Præfectis et Amicis ſuis*, ut Juſta judicia judicent, quam rectiora poſſint, **Et in judiciali Libro ſtant**; nec parcant nec diſſimulent pro aliquâ Re Populi Rectum et jus publicum recitare; *et unumquodque placitum terminum habeat quando peragatur, quod tunc recitabitur.*

The firſt Chapter of the ſecond part of his Laws intimates, that they were made by his *Wiſe men aſſembled in a Parliamentary Council at Exeter*; witneſs the contents thereof.

Edwardus Rex *admonuit* Omnes Sapientes quando fuerunt *Exonia*, ut inveſtigarent ſimul et quærerent; *quomodo pax eorum melior eſſe poſſit quàm anteà fuit; quia viſum eſt ei, quod hoc impletum ſit aliter quam deceret, et quam anteà præcepiſſet, Inquiſivit itaque qui ad emendationem velint redire, et in ſocietate permanere quâ ipſe ſit, et amare quod amat, et nolle quod nolit*, in Mari & in Terrâ. *Hoc eſt tunc*, Ne Quiſquam rectum differeat alicui. *Siquis hoc faciat, emendet ſicut ſupra dictum eſt* (In his firſt Laws then either made or rehearſed) *prima vice* 30 *s. ſecundâ ſimiliter*, ad tertiam vicem 120 s. Regi. *Propoſit.* 5.

The laſt Chapter, being the VIII in *Bromton's* tranſlation, (but the XI. in the *Saxon* Copy) is this. *Volo ut omnis Præpoſitus habeat* Gemotum (an Hundred Court) *ſemper ad quatuor hebdomadas; et efficiat*

ut

ut omnis homo rectum habeat, *et omne placitum capiat terminum quando perveniat ad finem*; *Siquis hoc excipiat, emendet, sicut antè dictum est.*

Anno 924. (a) *Will. Mal. de Gest. Reg. l. 2. c. 6. Mat. VVestm. VVig. An. 925 to 940. Hunting. Hist. l. 5. p. 334. Hov. Annal. pars prior, p. 422. Ing. Hist. p. 877, 878. Chron. Joban. Brom. col. 838. Sim. Dunelm. Hist. Reg. Ang. col. 134. to 154. Ethelw. Hist. l. 4. c. 5. Aelr. Abbas de Geneologia Reg. Ang. Pol. l. 6. c. 6. Henry de Knighton, de Ent. Ang. l. 1. c. 5. Speeds Hist. p. 393, 396. Fab. Holinshed, Grafton, Caxton in his life.*

King *Edward* deceasing, (a) *Æthelstan* his eldest Son (*designed by his Fathers Will to succeed* him) was elected King at *Wincheſter* in the year 924. **Magno Optimatum conſenſu et omnium favore**; and ſolemnly Crowned at *Kingſton*, only one *Alfred*, and ſome factious ones oppoſed his election, pretending he *was illegitimate and born of a Concubine*, whereupon they would have ſet up his Brother *Edwin* being legitimate and next heir as they pretended; *whom the Generality of the Nobles rejected*, nondum ad regnandum propter teneros Annos Idonco. *Æthelstan* after his Coronation knowing his Brother to be born in lawfull Matrimony, and fearing *Ne per ipſum quandoq; Regni ſolio privaretur*, leſt he ſhould be ſome time or other deprived of his kingdom by him, hated him extremely; and at the ſollicitation of ſome *Paraſites*, whereof his Cup-bearer was the chief, to be rid of him and this his fear, he cauſed young *Edwin*, attended only with one Page, to be put into an old broken Boat in the midſt of the Sea, without Sail, Oare, or Pilate, that ſo his death might be imputed to the waves; out off which Boat the young Prince in diſcontent caſt himſelf head-long into the Sea (or rather the Page threw him head-long over-board,) and ſo was he drowned: But the Page recovering his body, by rowing with his hands and feet, brought it to Land where it was interred. The King was hereat ſo troubed with a real (or feigned) contrition *for this barbarous bloudy fact*, that *he did ſeven years voluntary penance for this his fratricide*, and adjudged *his Cup-bearer to a cruel death, who gave him this ill advice*; and to pacifie his Brothers Ghoſt and his own Conſcience, built two new *Monaſteries* at *Middleton* and *Michelreſſe*, and there

Propoſ. 2.

was

was ſcarce any old Monaſtery in *England* which he adorned not either with buildings or Ornaments, or Books or Lands, to expiate this his bloody crime.

In this king *Æthelſtans* reign In the year 927. 'There were fiery Beams and Meteors 'ſeen throughout all the Northern parts of *Eng-* 'land; ſoon after which *Athelſtan* reſolved utterly to 'extirpate the perfidious Nation of the *Danes*, and 'treacherous *Scots*, which had violated their Agree- 'ment made with his Father, whereupon he marched 'with a great Army by Land, and Navy by Sea into '*Northumberland* and *Scotland*, waſted and harrowed 'the Country without reſiſtance, forced *Guithfrith* 'King of *Northumberland* out of his kingdom, uniting 'it to his own Realm, vanquiſhed and overcame '*Howel* king of *Wales*, *Conſtantine* king of *Scots*, *Anlafe* 'the *Dane*, and others in a ſet battel, droye them out of 'their Realms, and forced them to ſubmit to him: 'Who upon their ſubmiſſion, knowing the chance of 'war to be variable, and pitying the Caſes of theſe 'down-caſt Princes, reſtor'd them preſently to their 'former eſtates, with this Princely Speech, **That it 'was more honour to make a King, than to be a King:** 'yet theſe petty Kings, Princes rebelling afterwards, & 'riding with *Anlafe* againſt him, were all routed by *A-* '*thelſtane*, King *Conſtantine* of *Scotland*, with five more 'of theſe Kings, 12 Dukes, and moſt of their Army ſlain 'in one battel, principally by the valor of *Turketulus*, 'and the *Londoners*, An. 837: Whereupon the petty 'Kings of *Wales*, contracted to pay him a yearly tribute 'of 20 pound weight of Gold, and 300 of Silver, and '25000 head of Cattel, with a certain number of 'Hawks and Hounds, which no King of *England* ever 'exacted or received from them before.

[b] *William* of *Malmeſbury* (who exceeds in his praiſes) writes, *that it was truly reported of him amongſt the Engliſh*, Quod nemo Legalius vel literatius rem- (b) *De Geſt. Reg. l. 2, c. 6, p. 49.*

publicam administraverit; *That no king governed the Commonwealth more legally or learnedly than he*, being as (c) *Ingulphus* records, guided and directed by *Turketulus*, his Chancellour, *a man of great integrity, honesty, and piety, of profound judgement, whose decrees upon debate were irrefragible.* This king *Athelstan*, for the better administration of Justice, enacted sundry excellent, civil, and ecclesiastical Laws, recorded in *Bromt. Lamb.* & *Spelm.*

(c) *Ingulphi Hist. p.* 817.

Anno 928. [d] *Chron. Jo. Bromt. col.* 840, *to* 856. *Spelman. Concil. p.* 396, 397, 405, 406. *Lambardi Archaion.*

The first of these his *Laws*, were made and enacted in the *famous* [d] *Council of Grately*, about the year 928, in which the king himself, *Wulfhelm* Archbishop of *Cantebury*, and the rest of the *Bishops*, *and all the Nobles and Wisemen which King* Ethelstan *could assemble*, were present, *who all* **ordained and confirmed these Laws** *in this great Council*, as the last Chapter thereof informes us in these words.

Propositi. 5. 6. **Totum hoc institutum est et confirmatum, In magno Synodo apud Grateleyam**, cui Archiepiscopus *Wulfhelmus* interfuit **et omnes Optimates, et Sapientes, quos Adelstanus Rex potuit Congregare:** Or, *Cum* **Optimates et Sapientes ab** Æthelstano *evocati* **frequentissimi**, as another Copy renders it: which proves, that all the Members of this Council were summoned to it by this kings writ, and not elected by the peoples suffrages. And although the *Archbishops, Bishops, and other Clergy men were the chief advisers of the Ecclesiastical Laws, made in this Council*, as this Prologue to them attests: *Ego* Æthelstanus *Rex ex prudenti* Ulfhelmæ *Archiepiscopi, aliorumque* Episcoporum *et Servorum Dei consilio mando*; yet they were *all enacted and confirmed by all the Nobles and Wisemen in the Council*, as the premises evidence. In this *Council*, the king commanded *by his Laws, all his Officers, that they should demand and exact from his Subjects such things and duties only as they might justly and lawfully receive*, adding this memorable reason for it; 'Nunquam enim 'erit populo bene consultum, nec digne Deo conser-

Propositi. 1.

'vabitur

'rabitur, **ubi Lucrum impium et magis falsum diligitur**, Ideo debent omnes amici Dei quod iniquum 'est, enervare, quod justum est elevare; non pati ut 'propter falsum, **et pecuniæ quæstum**, se forisfaciant 'homines, erga vere sapientem Deum cui displicet **'omnis injustitia**: Which I wish all our unrighteous covetous Tax-makers, Excisers and Exacters would now seriously consider: After which it follows, 'Christianis autem omnibus necessarium est, ut re-'ctum diligant, ut iniqua condemnent, et saltem sa-'cris Ordinibus erecti justum semper erigant et pra-'va deponant: Hinc debent Episcopi cum sæculi Judi-'cibus interesse Judiciis, ne permittant, si possint, ut 'illinc aliqua pravitatum germina pullulaverint. And to avoid all arbitrary proceedings, oppressions, and Injustice in all things, this Council by positive Laws *ascertains all fines, amerciaments, imprisonments, and corporal punishments for criminal offences, from which the Judges might not vary.* And withall defines, *what Armes every man should find in those times of war, against the Danes and other Enemies* by his positive Law, *Lex* 21. (*Sax.* 16.) *Omnis homo habebit duos homines cum bonis equis de omni Carucâ.* *Propòsit.* 1,5.

King *Ethelstane* after this *Council at Grately* (what years is not expressed) assembled several other Parliamentary Councils at *Exeter*, *Fevresham*, and *Thunderfeld*; wherein he and *his Wisemen, by common consent, confirmed the Laws made at* Grately, *altering some of them in certain particulars, and adding some new Laws unto them*, as you may read at large in *Bromton*, and as the first *Chapter*, and this *Prologue* to those Laws assure us. *Proposit.* 5.

[e] 'Hæc sunt Judicia quæ Sapientes *Exoniæ* consilio *Adelstani* Regis instituerunt, & iterum apud *Fevresham* et tertia vice apud *Thundresfeldiam* **ubi hoc definitum simul et constitutum est**; et hoc imprimis 'est, ut observentur omnia Judicia quæ apud *Grateley* [e] *Chron. Joh. Bromt. col.* 850. *Proposit.* 5,6.

'am imposita fuerint, præter mercatum Civitatis, et Diei Dominicæ.

The Cause of making these new Laws, and confirming the old, was, *a Complaint to the King in the Council at* Exeter, *that the Peace and Laws made at* Grateley, *were not so well kept as they should be; and that Theeves and Malefactors abounded*; as this Prologue manifests, (*f*) 'Ego *Adelstanus* Rex notifico vobis, 'sicut dictum est Michi, quod pax nostra pejus obser-'vata est quam Michi placet, vel apud *Grateleyam* fue-'rit institutum: Et *Sapientes Michi dicunt*, quod hoc 'diutius pertuli quàm debueram; Nunc inveni *cum il-'lis Sapientibus*, qui apud *Exoniam* fuerint mecum in 'sancto Natali Domini, quod parati sunt omninò 'quando velim, cum seipsis & uxoribus, & pecunia, '& omni re suâ ire quo tunc voluero, nisi malefacto-'res requiescant eo tenore quo nunquam deinceps in 'patriam istam redeant, &c.

(*f*) *Chron. Joh. Brom. col.* 850.

Propositi. 5, 6.

In the *Council of Fevresham* in *Kent*, the King by some of his *Wise-Counsellors* sent thither to it, *propounded some things for the weal and peace of the Country, together with his pardon for fore-past offences; which they upon debate assenting to, and drawing up into sundry heads, returned to the King for his Royal assent*, with this memorable *Gratulatory Prologue*; which most truly representing unto us the proceedings in the *great Councils* of that Age, I thought meet entirely to transcribe.

(*g*) 'Kariſſime, Episcopi tui de *Kent*, *& omnis Ken-'teſcire, Thayni, Comites, & Villani*, tibi Domino dile-'ctissimo suo *gratias agunt*, quod nobis de pace nostra 'præcipere voluisti, & de commodo nostro perquire-'re & consulere, quia magnum opus est inde nobis di-'vitibus & Egenis. Et hoc incepimus quanta diligentia 'potuimus, *consilio horum Sapientum quos ad nos misisti*, 'unde Kariſſime Domine, primum est, de *nostra decima*, ad quam valdè cupidi sumus & voluntarii, & tibi sup-'plices

(*g*) *Chronicon Joh. Bromt. col.* 850, 851.

‹ plices gratias agimus admonitionis tuæ. Secundum ‹ eſt, de pace noſtrâ quam omnis populus teneri deſi- ‹ derat, ſicut apud *Grateleyam* Sapientes tui poſuerunt, ‹ et ſicut etiam nunc dictum eſt in Concilio apud *Fef- ‹ reſham*. Tertium eſt, quod gratiant omnes miſeri- ‹ corditur Hermerum dominum ſuum, de dono quod ‹ forisfactis hominibus conceſſiſti; hoc eſt, quod pardo- ‹ natur omnibus forisfactura de quocunque furto quod ‹ antè Concilium de *Fefreſham* factum fuit, eo tenore ‹ quo ſemper deinceps ab omni malo quieſcant, et om- ‹ ne latrocinium confiteantur, et emendent hinc ad ‹ Auguſtum. Quartum, Ne aliquis recipiat hominem al- ‹ terius ſine licentia ipſius, cui prius *folgavit*, nec in- ‹ tra marcam, nec extra, et etiam ne Dominus libero ‹ homini *hlaſocnam* interdicat, ſi rectè cuſtodierit eum ‹ Quintum, Qui ex hoc diſcedat ſit dignus eorum quæ ‹ in ſcripto pacis habentur, quod apud *Grateleyam* inſti- ‹ tutum eſt. Sextum, ſi aliquis homo ſit adeo dives, ‹ vel tantæ parentelæ quod caſtigari non poſſit, vel il- ‹ lud ceſſare nolit, ut efficias qualiter abſtrahatur in a- ‹ liam partem regni tui, ſicut dictum eſt in occiduis ‹ partibus, ſit alterutrum quod ſit, ſit Comitum, ſit ‹ Villanorum. Septimum eſt, ut omnis homo teneat ‹ homines ſuos in fidejuſſione ſuâ, contrà omne fur- ‹ tum. Si tunc ſit aliquis qui tot homines habeat quod ‹ non ſufficiat omnes cuſtodire, præpoſitum talem præ- ‹ ponat ſibi ſingulis villis qui credibilis ei ſit, & qui ‹ concredat hominibus. Et ſi præpoſitis alicui eorum ‹ hominum concredere non audeat, inveniat XII ple- ‹ gios cognationis ſuæ qui ei ſtent in fidejuſſione, Et ‹ ſi Dominus vel præpoſitus, vel aliquis hoc infringat, ‹ vel abhinc exeat, ſit dignus eorum, quæ apud *Gra- ‹ teleyam* dicta ſunt, *niſi Regi magis placeat alia juſtitia.* ‹ Octavum, *Quod omnibus placeat de ſcutorum operc, ſicut* ‹ *dixiſti.* Precamur Domine miſericordiam tuam, *ſit* ‹ *in hoc, ſit in alterutrum, vel minus, vel minus, ut hoc e-* ‹ *mendare jubeas juxta velle tuum. Et nos, devotè parati*

sumus ad omnia quæ nobis præcipere velis, quæ unquam aliquatenus implere valeamus.

After this there was another kind of *Parliamentary Council* held at *London*, & not long after that, another at *Thithamberig*, wherein many consultations were had, & propositions made for *suppression & punishment of Theeves and keeping of the peace*, which *the Justices, Commissioners, and others appointed to keep the peace, and to take sureties of all men to the keeping thereof*, concluded upon at *London*, and after submitted to the *Kings Council, to enlarge or alter, as he should see cause*; Who thereupon made some *alteration* and *mitigation* at *Thithamberig*, of what the King thought *over-severe in putting to death* those who were *above 12 years of Age, for 12d. value*, as these passages attest, declaring the proceedings of that Parliamentary Council.

(*k*) *Chron. Iob Bromt. col.* 852, 855, 856.

(*h*) 'Hoc consultum est, quod Episcopi et præpositi 'qui Londonienſi Curiæ pertinent, edixerunt, & jure-'jurando confirmaverunt in suo Fridgildo; Comites '& villani in adjectione judiciorum, quæ apud *Gra-'teleyam* & *Exoniam* instituta sunt, & iterum apud '*Thundresfeldam*.

Cap. 1. 'Et est imprimis hæc, non parcatur alicui la-'troni supra 12 Annos et supra 12 *d.* de quo verè fu-'erit inquisitum quod reus sit, quin occidatur, & capi-'atur omne quod habet, &c.

Cap, 14. 'Nec tacendum est vel prætereundum, si do-'minus noster vel præpositorum nostrorum aliquis ul-'lum Augmentum excogitare possit, ad nostrum Frid-'gildum; ut hoc gratanter excipiamus, sicut nobis om-'nibus convenit, & nostrum necesse sit, & in Deo con-'fidimus, et regni nostri Domino.

Cap. 15. 'Si totum hoc ita complere volumus, res 'totius populi meliorabitur contra fures quam antea 'fuit, & si remissius egerimus de pace & vadiis quæ si-'mul dedimus, & quam Rex nobis præcipit, timere 'possumus, vel magis scire quod fures isti regnabunt,

plus

'plus quam antè fecerunt, ſi fidem teneamus, et pa-
'cem ſicut domino noſtro placeat, quia magnum opus
'eſt ut inſiſtamus et peragamus quod ipſe velit, et ſi
'amplius præcipiat cum omni jocunditate et devotione
'parati ſumus.

Cap. 17. *Item quod Sapientes omnes dederunt vadium ſuum, inſimul* Archiepiſcopo *apud* Thundresfeldam *quando* Ealpheagus, Scyb, *et* Brithnodus Odonis *filius venerunt ad Concilium ex ore Regis*, ut *omnis præpoſitus vadium capiat in ſuo comitatu de pace ſervandâ ſicut* Adelſtanus Rex *apud* Fefreſham, *et quartâ vice apud* Thundresfeldam *coram* Archiepiſcopo, et Epiſcopis, et Sapientibus, quas ipſe Rex nominavit *qui interfuerunt et* judicia conſervaverunt Quæ in hoc Concilio fuerunt inſtituta, &c.

Cap. 18. *Item quod* Adelſtanus Rex *præcepit Epiſcopis ſuis et præpoſitis omnibus in toto Regno ſuo, ut pacem ita cuſtodiant ſicut recitavit*, et Sapientes ſui.

Cap. 19. *Item* Rex *dixit nunc iterum apud* Thitlanbirig Sapientibus ſuis, *et præcepit oſtendi* Archiepiſcopo et cæteris Epiſcopis, *quod ei miſerabile videtur, quod aliquis tàm juvenis occidatur, vel pro tàm parvâ re ſicut innotuit ei quod ubique fiebat; dixit itaque*, Quod ei videbatur et eis cum quibus hoc egerat, ne aliquis occidatur junior quam quindecim Annorum, niſi ſe defendere velit, vel aufugere, et *in manus ire velit, ut tunc deducatur, ſit major ſit minor, qualiſcunque ſit, ſi ſe dederit* ponatur in Carcere, *ſicut apud* Greateleyam *dictum eſt, et per idem redimatur &c.* Præcepit Rex ne aliquis occidatur pro minori precio quam 12 *d. niſi fugiat vel repugnet, ne dubitetur tunc licet minus. Si hæc ita conſervemus, in Domino Deo confidimus quod pax noſtra melior erit quam antea fuit.*

As theſe paſſages demonſtrate the proceedings of the Parliamentary Councils in that Age, (unknown to moſt, for which end I have tranſcribed them at large)

ſo

so they clearly prove, that Theeves or Felons (much lesse other *English* Freemen) could not be imprisoned, killed, put to death, fined or ransommed, but by speci-

Propos. 2, 4, 5, 6. al Acts, and Laws made in General Parliamentary Councils, nor any Laws made, enacted, or altered in such Councils, *but by the Kings Royal Assent thereto*, who then frequently summoned them, and all the Members of them, by writ and nomination, without the Peoples Election.

Henry de Knyghton, de Eventibus Angliæ l. 1. c. 5. an[i] some other fabulous Authors relate, that in

Anno 932. (i) *See the History of Guy of Warwick.* the eighth year of King *Æthelstans* reign, *Olaus* King of *Denmark*, *Golanus* King of *Norwey*, and the Duke of *Normandy*, with 8 Dukes and 5 hundred thousand Souldiers, arived in *England*, bringing with them out of

Propos. 5, 6, 9, 10. *Africa*, A Giant called *Colybrand*, the strongest and most famous at that time throughout the World; Whereupon King *Æthelstan* hearing of their comming, *Congregavit Magnates*, assembled his Noblemen at *Wincheſter*, *to advice with them, how they might resist the Enemies and fight with them in Battel*; That whiles king *Æthelstan vacaret tali Conciliо et congregatione populi sui in Wintonia*, the foresaid kings came upon him with their Army, and besieged him *Cum Baronia sua* with his Batons, in that City for two years space. Neither durst the *English* fight with them by reason of their multitude and Power. In the mean time they made this Agreement, that king *Æthelstan*, should find out one Champion to fight a single Duel with *Colybrand*; that in all future times the *Realm of* England *should be held of the King of* Denmark *under a Tribute*, and if *Colybrand* were conquered by *Æthelstans* Champion, then *Olaus* should *forfeit and disclaim the Realm of* England *for him and his Heirs for ever, and no King of* Denmark *should afterwards lay claim to the Realm of* England, *nor yet molest it*. That the king in near one whole years space, could not find

out

out a Champion to encounter *Colybrand*; whereupon he *and his Nobles were very much troubled.* At last, God by an Angel from Heaven, directed the King to find out *Guy of Warwick*, comming thither as a Pilgrim, who undertook to encounter *Colybrand*; and after a sharp battel with him in the view of both kings and their Armies, *cut off one of his hands, and after that his head.* 'By which Victory the whole Land of *Eng-*'*land* enjoyed the unviolated privilege of rest and Li-'berty from the Danish king, untill *Cnute* king of '*Denmark* gained the Realm of *England* from *Edmund* '*Ironside.*' But this Relation being contrary to the truth of History, and the Stream of all our *Historiographers*, I shall repute it meerly fabulous; though I could not well omit it, for that Relation it hath to this my Theame and precedent Propositions.

(k) *William of Malmesbury* and others out of him record, that *Elfrid* (a Noble man) who opposed *Æthelstans* Title to the Crown, though in vain, *intended to have seized on him at* Winchester, *and put out his eyes*; but his Treason being discovered before it came to the Accomplishment, he was taken and sent to *Rome* to purge himself by *Oath*; where before the Altar of St. *Peter* and Pope *Iohn the* 10*th*, he abjured the fact, and thereupon *fell suddainly down dead to the Earth*, and being carried from before the Altar by his Servants to the *English* School, he there died within three daies after. Upon this the Pope sent to the king, to *advise what he should do with him, and whether he should allow him burial with other Christian Corps.* 'The king 'hereupon assembling a Council of his Nobles, to ad-'vise about it; *Optimates Regionis*, the Nobles of the 'Realm with a great Company of *Elfrids* kindred, ear-'nestly requested of the King with great humility, that 'his body might be committed to Christian Burial'. The King consenting to their Request, acquainted the

(k) *De Gest. Reg. Ang. l. 2. c. 6. p. 52. Spelman. conc. p. 407, 408. Speeds Hist. p. 396. See Ingulph. Hist. p. 378.*

Propos. 2, 4, 5, 6, 10.

Pope therewith; who granted him Christian Burial, though unworthy. Hereupon *the Nobles adjudged all his Lands and Possessions great and small, to the King*; who by *their consent granted and confirmed them all to the Abby of* Malmesbury by his Charter, wherin he recites; *Sciant* Sapientes *regionis Nostræ, non has præfatas terras me injustè Rapuisse, Rapinamq; Deo Dedicasse*, sed sic eas accepi Quemadmodum judicaverunt omnes Optimates Regni Anglorum. *Insuper et Apostolicus Papa Romanæ Ecclesiæ* Johannes; After which, reciting the *Treachery, perjury and death of* Elfred, *with his Condescention to his Nobles and friends request aforesaid*, he concludes thus. 'Et sic Adjudicata est mihi tota 'possessio ejus in magnis et modicis. Sed et hæc 'Apicibus prænotamus literarum, ne quamdin Chri-'stianitas regnat, aboleatur; unde mihi præfata pos-'sessio, quam Deo et Sancto *Petro* dedi, donatur; nec 'Justius novi quam Deo et sancto *Petro* hanc possessio-'nem dare, qui æmulum meum in conspectu omnium 'cadere fecerunt, et mihi prosperitatem Regni largiti 'sunt.

Propos. 2, 4, 5, 6, 10.

To which *Malmesbury* subjoyns. *In his Verbis Regis sapientiam, et pietatem ejus in Dei rebus suspicere par est: Sapientiam, eo quod animadverterat, juvenis præsertim, non esse Dei Gratiosum de Rapinâ Holocaustum. Pietatem, eo quod Almnus ultione divinâ collatum, Deo potissimum non ingratus rependeret.*

From whence I shall only observe, that *Elfrid* being a Peer of the Realm, dying perjured as aforesaid, was adjudged to forfeir all his Lands for Treason after his death only by *his Peers in a Parliamentary Council*, and that if the king had seized on them without their judgment, it had been an unjust Rapine, by his own Confession; but being legally confiscated to him by their Judgement, it was no *Rapine*, but *Justice* for him to seize, and Piety to dispose of them at his pleasure to *this* Church. What *Churches* and *Monasteries* he

he built and repaired throughout the Realm; What Lands he reſtored to St. Auguſtines Church at Canterbury on the day of his Coronation (by the *Aſſent of his Biſhops and Nobles*) though long *detained* from it; and how he gave the Lands of *Folcaſtan*, in *Kent*, eſcheated by the *Danes* deſtruction of the *Nunnery there*, to *Chriſt-church* in *Canterbury*, you may read in the (*l*) *Marginal Authors*.

(*l*) *Ingulphi Hiſtoria. p. 878. Chronica VVill. Thorn, Col. 1778. Evidentiæ Eccleſiæ Chriſti, Cant. Col. 2220. &c.*

(*m*) *William* of *Malmesbury* informs us, that *Baldwin* Earl of *Flanders*, ſent Embaſſadour by *Hugh* King of *France*, to King *Ethelſtan*, to demand his Siſter for his Wife, brought over with him divers rich preſents, and Reliques (Amongſt others, the Sword of *Conſtantine* the Great, the Lance of *Charls* the Great, and one of the 4 *Nails* that pierced our Saviours body, ſet in plates of Gold; A piece of our Saviours Croſs incloſed in a Chriſtal Caſe &c. all which he preſented to the King and Lady) *cum in Conventu Procerum, apud Abindonium proci poſtulata exhibuiſſet*: Which intimates, *that this King conſulted with an aſſembly of his Nobles about his Siſters Marriage to the King of* France, as a mater of Parliamentary conſideration.

(*m*) *de Geſt: R. Ang. l. 2. c. 6. p. 51. See Ingulp. Hiſt. p. 877, 878.*

Ingulphus Hiſt. p. 876, 877, 878. records, that *Turketulus* was his Chancellor and chief Counſellour, who affected not Honors and Riches, refuſed many Biſhopricks offered him by the King, *Tanquam tendiculas Satanæ ad animas evertendas*; and would never accept of any *Biſhiſhoprick* all his life, *being Content only with his own Lands and Wages*: *That all his Decrees were ſo juſt and legal, that they remained irrevocable, when once made: That he was a great Souldier, and fought moſt valiantly againſt the* Danes, *and often gloried and ſaid*, He was moſt happy in this, that he had never murdered nor maimed any one, Cum pugnare pro patria, & maximè contra Paganos **licite quiſque** poſſit; *He eſteeming the ſlaughter of ſuch Pagan Enemies in defence of his Country, lawfull, and no murther nor maim.*

Anno 940. King *Æthelstan*, deceasing without issue, his Brother *Edmund* succeeded him An. 940. who upon the *false suggestions of some of his Souldiers and Courtiers*, deprived *Dunstan* (whom he had made his *Chancellour*, *and one of his privy Council*, *yea ranked amongst the Royal Palatines and Princes of his Realm*) *of all his dignities and Offices*. The very next day after, being like to break his Neck as he rod a hunting over a steep Rock, had not his horse miraculously stopped at the Rocks brink in his full carier, he immediatly sent for *Dunstan*; and to repair the injury done him, rod presently to *Glastonbury*, and made him Abbot thereof. Presently after, *Anlaffe* King of *Norwey*, whom *Æthelstan* had driven out of the Kingdom of *Northumberland*, came with a great Navy and Army to *York*, being called in by *the perfidious and rebellious Northumberlanders*, who instantly revolted to him, *and elected him for their King*. Whereupon he marching Southward with a puissant Army, *purposing to subjugate the Realm of* England *to himself*, King *Edmund* gathering his forces together, encountred him, and after a bloody battel fought a whole day between them at *Leicester*, with great loss on both sides, *Odo* Archbishop of *Canterbury* and *Welstan* Archbishop of *York* perceiving *the danger on both parts, and the Destruction of the Realm, made this Agreement between them*; *that* Anlaffe *should quietly enjoy the whole Northeast part of* England, *lying North of* Watlingstreet; *and* Edmund *all the Southern part thereof, during their joynt Lives, and the Survivor of them enjoy the whole Realm after the others decease*: But *Anlaffe* soon after wasting the Church of St. *Balter*, and burning *Tivinagham* with fire, *was presently seised on by Gods avenging Judgement, and miserably ended his life.*

About the year 940. (*o*) *Hoel Dha*, Prince of all *Wales*, *sent for six Laymen, eminent for authority and knowledge, out of every* Kemut, *or hundred of his Realm, and all the Archbishops, Bishops, Abbots & Priors of his Realm, dignified with a Pastoral staff; who continuing all together,*

a) *Malmesb. de Gest. Reg. Angl. l. 2. c. 7. Hoveden Annal. pars prior, p. 472. Ingulp. Hist. p. 878. Huntindon Hist. l. 5. p. 355. Ethelwerdi Hist. l. 4. c. 6. Chron. Iohan. Bromton, Col. 856, 857, 858. Mat. VVestm. et wigorn. An. 940. to 946.*

Propositi. 4.

Anno. 940.
(*o*) *Spelman. Concil. p. 408, 411. &c.*

in

in prayer, fasting and consultation all the Lent, did in this Welsh Parliament, *make and enact many Civil and Ecclesiastical Laws, which they divided into 3 parts and books, for the better Government of the Realm and Church;* Propos. 5. 2. which you may read in *Spelman.* In the 22 Law whereof they thus determine: *Tres autem sunt homines quorum nullus potest per Legem impignorare contra aliquod Judicium*: Primus est Rex, ubi non poterit secundum Legem in Lite stare coram judice suo agendo vel respondendo, per dignitatem naturalem, vel per dignitatem terræ, ut *Optimas*, vel alius. So that by the Laws of those times, nor only the *Kings of England*, but even the *petty Kings of* Wales *were by their very Natural and Royal Dignities, exempted from all personall Tryals and Judgements against them in any Courts of Justice, seeing they had no Peers to be tryed by.*

In the year 940 (p) *Reingwald* [or *Reginald*) the *Dane* comming with a great Navy into *Northumberland*, slew most of the *best Inhabitants of that* Realm, *or drove them out of it. He likewise seized upon all the Lands of St.* Cutbert, *and gave his Lands to two of his Souldiers; one of them called* Scula, *who afflicted the miserable Inhabitants with Grievous and intollerable Tributes; whence even unto this day, the* Yorkshire-men *as often as they are compelled to pay* Tributum Regale, Propos. 1, 4. *A Royal Tribute, endeavour to impose a pecuniary Mulct on the Land which this* Scula *possessed, for the easing of themselves.* Scilicet Legem deputant, quod Paganus per Tyrannidem fecerat, qui non legitimo Regi Anglorum, sed barbaro et aliegenæ Regis Anglorum hosti militabat, Nec tamen quamvis multum in hoc Laboraverint Pravam Consuetudinem huc usque Sancto *Cuthberto* resistente Introducere potuerunt; writes *Simeon Dunelmensis.* 'The other part of those 'Lands one *Onlabald* seised upon; who was much 'more cruel and oppressive to all men than *Scula*, extra-'ordinarily vexing the Bishop, Congregation, and

(p) *Simeon Dunelm. Hist. de Dunel. Eccl. c. 16. col. 23. c. 24.*

'People of Saint *Cuthert*, and particularly seising upon 'the Land belonging to the Bishoprick; Whereupon *the Bishop oft endeavouring by perswasion to draw him to God, and entreating him* to lay aside the obstinate rigor of his mind, and refrain himself from the unlawfull Invasion of the Churches Lands, else if he contemned his admonitions, God and St. *Cuthert* would severely avenge the Injuries done by him to them, and others. 'He with a diabolical mind contemning his 'admonitions and Threats, swore by his Heathen 'Gods, that he would from thenceforth be a more bit-'ter Enemie towards St. *Cuthbert* and them all, than e-'ver he was before; Whereupon the Bishop with all 'his Monks falling prostrate on the earth, earnestly 'prayed to God and his holy Confessor, to annul those 'proud Tyrants Threats; who was then comming 'into the place where they were praying, having one 'foot within the Door, and the other without; in 'which posture he stood there immovably fixed, as if 'both his feet had been nayled, being able neither to 'go out nor come in, but standing immovable, till 'being long thus tortured, he there gave up his misе-'rable soul in the place: with which example all others 'being terrified, would no further presume by any 'means to invade the Land, nor any thing else belon-'ging of right to the Church.,

Anno 941. (q) Anno 941. 'the Rebellious *o Northumberlan-*
(q) *Mat. West.* 'ders preferring disloyalty before the Fealty which
et Wigorn. An. 'they owed unto Magnificent *Edmund* King of
941. *to* 946. *Hunt. ingd. Hist.* 'England, elected *Anlaff* (King of the *Norweyans*)
l. 5. *p.* 355, 'for their King, Son to the former *Anlaff*; who pe-
Hov. Annal. 'rishing suddenly for his Sacrilege (as aforesaid) he
pars prior p. 'and *Reginald*, the Son of *Garthfrith*, after their Bap-
421. *Ethelw.* 'tism, breaking their faith and Agreement with
Hist. l. 4. *c.* 6.

William Malmesbury, De Gest. Reg. l. 2. *c.* 7. *Simeon Dunelm. Hist. de Dunelm. Eccl. c.* 18. *col.* 26. *et de Gest. Reg. Angl. col.* 134, 155, 156. *Ethelr. Abbas de Gen. Reg. Ang. col.* 358. *Pol. l.* 6. *c.* 7. *Fab. Caxt. Graft. Holinsh. Speed in the life of King Edm.*

King

'King *Edmund*, by invading his Dominions. *Edmund* 'thereupon by force of Armes expelled them both out 'of the Realm of *Northumberland*, and united it to his 'own kingdom; and wreſted *Lincoln*, *Nottingham*, '*Derby*, *Leiceſter*, and *Stamford* out of the hands of the 'Uſurping, inſolent, oppreſſing *Danes*, with all *Mer*-'*cia*; ſubduing and reducing the Monarchy of all *Eng*-'*land* unto himſelf; extirpating all the *Pagan Danes* 'with their infidelity; reſtoring Chriſtianity to its 'Luſtre, and the Engliſh to their Poſſeſſions and 'Liberties. The year following he waſted and ſubdued all *Cumberland, and pillaged the people of all their goods*: *And becauſe the people of that Country were* perfidam & legibus inſolitam, *perfidious and unaccuſtomed to Laws, ſo that he could not totally ſubdue and civilize them, having harrowed it with his Army, and put out the eyes of the two ſons of* Dummail, King thereof, *he gave the Country to* Malcolm *King of* Scots, *to be held of himſelf, upon this Condition, that he ſhould aſſiſt him, and defend the Northern parts of* England *by Land and Sea from the Incurſions of invading Enemies.* Propoſit. 3, 7.

This King *Edmund* after the Conqueſt and Expulſion of his Enemies, by the adviſe of *Dunſton* and his Chancellour *Turketulus*, [r] made good *Lawes, and ordinances, Eccleſiaſtical and Civil, for the Government of his Realm*; for which purpoſe, about the year of our Lord 944, he aſſembled a *Parliamentary Council of the Clergy & Laity at London, to conſult and adviſe with them in the making of his Lawes.* Which the Proems to them, thus expreſſe. *Edmundus Rex ipſo ſolemni Paſcatis feſto* Frequentem Londini tam Eccleſiaſticorum quam Laicorum Cætum celebravit, as one verſion out of the Saxon; Or *Congregavit* magnam Synodum Dei ordinis et ſæculi; as another tranſlation renders it; *cui interfuit*, Odo, *et* VVulſtanus Archiepiſcopi, *et alii plures* Epiſcopi: *ut animorum ſuorum, et eorum omnium, qui eis curæ ſunt conſuleretur ſalui*; And this Proem of King *Edmund*, himſelf

An. 944. (r) *Chron. Ioh. Brom. col.* 858. *to* 862. *Spelm. Concil. p.* 415. *to* 428. *Lambardi Archaion, Polychron. l.* 6. *c.* 7. *Malmesb. de Geſt. Reg. l.* 2. *c.* 7. *Ingulphi Hiſt. p.* 878. Propoſit. 5.

(f) Bromt. Spel. Lamb. quo supra.

self thus seconds, (f) *Ego* Edmundus *Rex omnibus qui in ditione ac potestate meâ sunt, senibus & juvenibus, clare significo*, Me à scientissimis Regni mei in celebri Ecclensticorum quam Laicorum frequentiâ, studiosè requisivisse, *quo tandem pacto Christiana proveheretur fides, &c.* Or, *Mando, & præcipio omni populo Seniorum & Juniorum qui in Regione mea sunt*, Ea quæ Investigans Investigavi cum Sapientibus Clericis & Laicis: *In this Council there were three parcels of Laws made; the one, meerly Ecclesiastical; the other, meerly Civil; the third, mixt of both.* And in this *Council*, I conceive, the *Constitutions of Archbishop* Odo *were read and ratified.* The greatest part of the Civil Laws there made, *were against Murder, bloodshed, fighting, breach of Peace, Theft and Perjury*: In the last parcel of these Laws, cap. 5. *The King gives God and them thanks, for assisting him in making these Laws, in these words*; Maximas autem & Deo & vobis omnibus ago gratias, Qui me auxilio vestro in hac pacis quam nunc ad profligandos fures sancivimus, Lege adjuvisti is; ac vehementer confido, eo vos propensius Nobis in posterum opitulaturos, quo hujus Decreti observatio magis videbitur necessaria.

Propost. 5.

(t) Chron. Joban. Bromt. col. 859.

About the same year, 944. (t) this King assembled another *Parliamentary Council of his Bishops and Wisemen at* Culinton, *where they enacted 7 other Laws, Principally* against Theeves, together with an *Oath of Allegiance* to king *Edmund*, thus prefaced. *Hæc est* Institutio *quam* Edmunds Rex, & Episcopi sui, cum Sapientibus suis instituerunt *apud* Culintoniam *de pace & Juramento faciendo.* The two first of these Laws I shall transcribe as pertinent to my Theam.

Propost. 5, 4, 7.

Cap. 1. *Imprimis*, ut omnes jurent in nomine Domini, pro quo sanctum illud sanctum est, fidelitatem *Edmundo Regi*, Sicut Homo debet esse fidelis Domino suo, sine omni controversiâ & seditione, in manifesto, in occulto, in amando quod amabit, Nolendo

Propost. 7.

quod

quod noluit; *et antequam Iuramentum hoc dabitur, ut nemo concelet hoc in fratre vel proximo ſuo plus quam in extraneo.*

Cap. 2. *Vult etiam, ut ubi fur pro certo cognoſcetur* Twelfhindi et Twifhindi (that is meu of 600 or 200 s. Land by the year) *conſocientur et exuperent eum vivum, vel mortuum, alterutrum quod poterunt; et qui aliquem eorum infaidiabit, qui in eâ queſtione fuerint, ſic inimicus Regis et omnium Amicorum ipſius.* Et ſi quis adire *negaverit, et coadjuvare nolit, emendet Regi* cxx s. *vel ſecundum hoc pernegat quod neſcivit, et hundredo* xxx s.

From whence it is apparent, That all *Oaths of Allegance*; and Laws againſt *Theeves and other Malefactors*, were then made and enacted in Parliamentary Councils aſſembled for that purpoſe, and all fines, for offences impoſed, and reduced to a certainty only by Parliament. And by the laſt parcel of King *Edmunds* Laws in *Bromton*, it ſeems, *the manner of contracting Marriage was then preſcribed and ſetled by a Parliamentary Council.*

This King (*u*) *Edmund*, as he gave and reſtored by his Charters to *Chriſt-Church and St. Auguſtines in* Canterbury ſeveral Lands unjuſtly taken away from them *by his Predeceſſors, free from all ſecular ſervices, except expedition and building of Bridge and Caſtle*; and ratified the *Laws and Privileges of St.* Cutberts Church *at* Durham, by *conſent of his Biſhops and Nobles*; So likewiſe, (*x*) Anno 944. *he granted by his Charter*, (written in golden Characters) ſundry *large Liberties*, together with the Mannor of *Glaſtonbury* to the Abbey of *Gluſtonbury*, Conſilio et conſenſu Optimatum meorum (then aſſembled in a Paliamentary Council at *London*) *ratifying the Privileges granted to the Monaſtery by King* Edmund *his Father*, Elfrid, Centwine, Ina and Cuthred; *et nè quiſquam mortalium, ſeu Epiſcopus, vel Dux aut Princeps, aut quilibet miniſtrorum*

(*u*) *Chron. Wil. Thorn. col.* 21. *c.* 25. *Evid. Eccleſ. Chriſt. Cans. col.* 2221. *Sim. Dunelm. Hiſt. de Eccleſ. Dunelm. l.* 2. *c.* 19. *col.* 25.

(*x*) *Malm. de Geſt. Reg. l.* 2. *c.* 7. *Spelman concil. p.* 427. *Propoſ.* 4. 10;

eorum audeat eam omnino intrare causa placitandi, vel capiendi, vel quidquam faciendi, quod contrarium fore possit mihi Deo Servientibus, Dei indictione prohibuit.

) *An.* 945. (*y Mat. West. An.* 945. *p.* 366. *Chron. Ioh a. Brom. col.* 828.

(*y*) In the year 945. this King *Edmund* gave many *Lands and Privileges to the Monastery of* St. Edmundsbury, *by his Charters*; *quam* subscriptione Episcorum, Comitum et Baronum piâ devotione roboravit, (most probably in the Parliamentary Council, of *London*, at *Culington* where they were all assembled.)

Proposition 10.

Anno 946. (*z*) *Mat. West. Wig. Malm. Hunt. Hov. Ingulph. Sim. Dunelm. Brom. Wil. Thorn. Polch. Aelredus, Fab. Graft. Caxton, Holinsh. Speed, An.* 946. *and in the life of Edmund.*

(*z*) *King Edmund*, in the year 946. celebrating with great Solemnity the Feast of St. *Augustine* (which the *English* accustomed to celebrate every year) at *Canterbury*, as some; or at *Pulcherkirke* (now at *Puckelchurch* in *Glostershire*) as others, or *Michelesherith*, as *Matthew Westminster* stiles it) as he was sitting at Dinner in the Hall amidst his Nobles and Courtiers espyed a notable Thief called *Leoff* (whom he formerly *banished for his theft*) stand in the Hall: Whereupon he not enduring his sight, commanded his Butler to *thrust that Thief presently out of the Palace*: who refusing to depart upon the Kings Command and resisting the Butler, the King therupon in a rage rising suddenly from the Table, took the Thief by the Hair, and threw him to the Ground: whereupon the Traitor feeling himself hurt, and the King lying upon him, *presently drew out his Knife; which he carried secretly about him, ript up the Kings bowels and slew him with it*; which the Knights and Souldiers perceiving, *rushed all upon the Thief, and with their Swords and Knives chopped all his flesh and bones into small pieces.* Some Historians write, that he slew some of the Kings followers likewise, and wounded more of them, and so escaped in the midst of the Tumult, *Sicque clarum regalis Convivii principium, nebulosus rerum Gestarum exitus terminavit.* Communi ergo decretum Concilio: It was thereupon decreed by a *Common Council*, that his Body should be interred in *Glastonbury Abby*. Abbot *Ethel-*

Proposit. 2, 8.

red

red gives this Encomium of him.(a) 'Erat autem patris 'Edwardi in omnibus imitabitor, homo ſimplex & re- 'ctus, et timens Deum, et uſque ad finem vitæ ſuæ 'permanens in innocentiâ ſuâ.

(a) *De Gen. Reg. Ang. col.* 358.

Anno 946, *&c.*

(b) *Edred* his Brother, ſucceeded him the ſame year in the Throne, and was crowned King at *Kingſton* by *Odo* Archbiſhop of *Canterbury*; *Edwin* and *Edgar* King *Edmunds* Sons, *being put by, becauſe of their Infancy*; quia tepugnante legitimâ ætate patri ſuccedere non valebant, as *Matthew Weſtminſter* renders the reaſon.

(b) *Mat. weſt. Vvig. Sim. Duneim. Hunt. Hov. Malm. Brom. Aelred. Polyc. Fab. Hol Speed An.* 946. *and in the life Edred, Ethelw. Hiſt. l.* 4. *c.* 8.

No ſooner was he crowned, but entring into *Northumberland*, with a great army, *he ſubdued the rebellious* Northumberlanders, *who refuſed to bear the yoak of his government, reducing them all under his obedience.* Whereupon *Wulſtan* Arcbbiſhop of *York*, *and all the Nobles of the* Northumberlanders *ſwore fealty to King* Edred, *which they did not long obſerve.* After which King *Edred* entred with Banners diſplayed into *Scotland*, whereupon the *Scots*, ſtrucken with a fear, without any reſiſtance, or war, *ſwore homage and fealty to him as to their true Lord*, as well as the Northumberlanders; *which Oath they ſoon violated*: For no ſooner was *Edred* returned with his Army into the Southern parts, but *Anlaff* who was chaſed out of *Northumberland*, returning thither again with a great Fleet, was *joyfully received by the* Northumberlanders, *and reſtored by them to the Throne of the Kingdom, which he kept by force near four years.* But in the fourth year the *Northumberlanders uſing their accuſtomed treachery and diſloyalty, chaſed away their King* Anlaff, *and received* Hirc or *Ericus* ſon of *Harald*, for their king, who held the kingdom but a ſhort time; 'for the People of the Country, not 'long enduring any king as they had lightly received 'Hirc for their king, ſo in the third year of his Reign, 'they as lightly rejected him, and calling king *Edred* to 'them of their own accord, received him again for their 'Soveraign, and ſet him in the Throne, as *Vvil-*

Propoſ. 8.

gisr ecra. B Malm.

'*others relate*; That king *Edred* Anno 948 was soin-
'censed with the *Northumberlanders* for their treache-
'ry towards him, in chusing *Hirc* for their king, against
'their Oath of Allegiance sworn to him; that he wa-
'sted all *Norshumberland* with fire and sword and
'famine, *et penè ex hominibus delevit*; But some of
the *Northumberlanders* in his return from thence, sal-
lying out of *York* with their forces, cut off some of
the Rear of his Army ar *Cesterford*; wherwith king *E-
dred* was so enraged, *that he resolved presently to re-
turn*, et totam illam terram penitus desere, and *ut-
terly to destroy all that Country*. Which the *Nor-
thumberlanders* hearing, they were so terrified, that
they rejected their new King Hirc, *and received* Edred
for their Soveraign, satisfying the King with Honors,
and the Damages and Wrongs they had done unto
him, *with Gifts, and no small Sums of Mony*. These
treacherous Rebellious *Northumberlanders* after *E-
dred* and *Hirc*, had *no particular King at all to rule over
them, but only Dukes*, whose names and successions
(*with their Treachery towards and Rebellions against them*)
you may read at leisure in *Roger Hoveden*, who sub-
joyns the History of them immediately to this relati-
on.

Anno 951.
(c) *Mat. west. An. 951. p. 357. Malm. de Gest. Reg. l. 2. c. 7. Sim. Dunelm. Hist. col. 356. Flor. Vig. An. 952, 954. Roger Hov. Annal pars prior, p. 422, Thomas Stubs, Acta Pontif. Ebor. c. 1669. Godw. Catalogue of Bishops, p. 443. Antiq. Eccles. Brit. p. 49. Propos. 2, 3.*

'This King *Edred* (about the year 951. (*c*) close
'imprisoned *Wulstan* Archbishop of *York* in *Withau-
'brig*, and suspended him from his Archbishoprick,
'near a whole year, for certain causes of which he had
'been frequently accused to him; *but especially for* coun-
'tenancing and harbouring the rebellious perjured
Northumberlanders and the *Danes*, a Heathen people,
'who not only sought to destroy his Native
'Country, but also to root out Christian Religi-
'on, for which he deserved a thousand deaths: and
'exciting them both against his Soveraign King *Edred*,
'contrary to their Oath; and for killing the Citizens

of

'of *Twesford* in a tumultuous manner, in revenge of the 'death of Abbot *Adelm*, whom they had cauſeleſly 'murdered. Norwithſtanding all which, about a year after he was enlarged and reſtored to his Biſhoprick; *Malmesbury* and Abbot *Ethelred*, record of king *Edred*, *that he made his Palace altogether a School of Virtues*, *obeying* Dunſtans *Counſels in all things*, et Juſtiſſimis Legibus ſubditos Regens, *and governed his Subjects by moſt juſt Laws.*

I read only of one *Great Parliamentary Council* held under King *Edred*, and that was at [d] *London*, in the year 948. *in the Feaſt of the Virgin Maries Nativity*; Cui Univerſi Magnates Regni, per Regium edictum Summoniti, tàm Archiepiscopi, & Epiſcopi, & Abbates, quam Cæteri totius Regni Proceres & Optimates, Londini conveniſſent, ad tractandum de negotiis publicis totius Regni; as *Ingulphus* and others record.

Anno 948. (d) *Ingulphi Hiſt. p.* 874, 875, 876. *Hoveden Annal. pars prior. p.* 423. *Mat. weſtm. An.* 948 *Spelm. Concil. p.* 428. *Mr. Seldens Titles of Honour, part* 2. *ch.* 5. *p.* 633.

In which *Parliamentary Council*, when all the publike affairs were finiſhed (which as it ſeems concerned the making and carrying on of that war againſt the *Rebellious*, *Treacherous Northumberlanders*, who brake their faith with King *Edred*, and ſet up a King of the Daniſh race, as aforeſaid,) the King in *the preſence*, *and by the conſent of them all*, *reſtored*, *granted and re-confirmed by his Charter* (dictated by Abbot *Turketulus* heretofore his Chancellour) *all the Lands and Liberties formerly granted by Kings and others to the Abbey of* Croyland, *with ſundry Manors then given to it by* Turketulus *himſelf*: *wherein* (amongſt other Liberties) he granted to the Monks; *quod ſint quieti & ſoluti ab omni Scotto*, *Geldo*, *auxiliis Vicecomitum*, *Hydagio*, *& ab Secta in Schiris*, *Wapuntakis*, *Hundredis*, *Thrichingis & omnibus omnibus aliis curis & ſæculi oneribus univerſis.* This Charter was ſubſcribed and ratified with the ſign of the Croſs, *by all the Archbiſhops*, *Biſhops*, *Abbots and Nobles*, *who gave both their Counſels and Aſſents thereto*, as

Propoſ. 5, 8, 9.

Propoſit. 1.

their subscriptions testifie, that so it might be firm and perpetual. In the beginning of which Charter, this *King*, to shew, *that he held his Crown only from and under God*, thus stiles himself. *Ego* Edredus *Rex terrenus sub imperiali potentia Regis seculorum æternique Principis, Magnæ Britanniæ gerens Imperium, &c.*

About the year of Christ 950, [e] *Nogui* a *Welsh King*, being overmuch incensed with one *Arcoit*, wasted his Lands, and with too much fury, violated the Sanctuary, to which he fled. Whereupon *Pater* Bishop of *Landaffe* assembled all the *Clerks of his Dioceſs in a Synod, to punish this Sacrilege and breach of Sanctuary*: Which the King hearing of, *desired pardon of the Bishop and whole Synod, for these offences in the Church of* Mainnon, *restoring all the things of the Church he had taken away, with satisfaction, and effusion of Tears.* Whereupon, to obtain pardon and absolution for the penance they enjoyned him, he gave the parish of *Guidcon*, with all the Lands, Liberties and Commons appertaining thereunto, to *God, and the Bishops of* Landaffe *for ever*, to be held in *Frankalmoighne*. Some five years after (Anno 955.) *Ily* a Deacon, slaying one *Merduiter*, and flying into a Church for *Sanctuary*; thereupon his kinsfolk, and some of king *Nogui* his family, forcibly entring into the Church, slew *Ili* before the Altar, *sprinkling his blood both upon the Altar and Walls of the Church*; Whereupon *Pater* Bishop of *Landaffe*, assembled *a Synod of all the Priests, Deacons, and Ecclesiastical persons within his Dioceſs, to excommunicate the Delinquents*; which King *Nogui* and *his Nobles hearing of, fearing the Malediction of the Church, the weight whereof they durst not undergoe*, sent for the Bishop, and upon consultation, *by advice of the Doctors of both sides, delivered up the Murderers into the Bishops hands, who sent them to the Monastery of St.* Teliavi, *where they were kept 6 Moneths in Iron Chains. After which they were excommunicated.*

An. 950, 955. [e] Speiman. Concil. p. 429, 430, 501, 530.

Propoſit. 2, 4, 6, 10.

munic ated. Synodo quoque Judican e definitum eſt, unusquiſque eorum ſuum agrum, ſuamque totam ſubſtantiam, inſuper & pretium animæ ſuæ (id eſt) ſeptem Libras Argenti, redderet Eccleſiæ quam maculaverat, determinantibus omnibus Divino Judicio, &c.

The Biſhop riſing up in the midſt of them, holding the Goſpel in his hand, ſaid to *Nogui*, *lay thy hand upon this Goſpel:* Whereupon *Nogui* laying his hand upon it, ſaid; 'Sit hæc terra cum incolis ſuis, in ſempiterna conſecra: ione Deo, &c. & *Patri* Epiſcopo, & 'omnibus Epiſcopis *Landaviæ*, Libera ab omni Laicali 'ſervitio, niſi tantum in oratione quotidianâ in perpetuo. It ſeems the petty Welſh Kings, and their Courtiers, were all ſubject in thoſe dayes to the *Cenſures and excommunications of their Synods, for their Sacrilege, and other unrighteous Actions infringing the Churches Liberties.* That *their Synods had a Judiciary Power*, and that they could not convey Lands to the Church, but by *the Conſent and Judgement of their Synods*, which atteſted and ratified the ſame, as you may read in *Spelman*. Who likewiſe informs us, of another *Welſh Synod* held at *Landaffe*, about the year 988. wherein *Arithmail* Son of *Nogui*, King of *Guenti*, ſlaying his Brother *Eliſed*, was for this execrable *Fratricide excommunicated by* Gucan, Biſhop of *Landaffe*, and all the *Synod*, who thereupon *ſubmitting to the penance therein enjoyned him, gave certain Lands for ever in Frankalmoighne to God and all the Biſhops of* Landaffe, *to purchaſe his abſolution.*

King [f] *Edred* deceaſing to the great grief of all his [f] *Wil. Malmesbury de Geſt. Reg. l. 2. c. 8. de Geſtis Pontificum, l. 1. p. 20. Mat. Weſtminſter & Vigorn. An. 955, 957, 958, &c. Hoveden Annal. pars prior, p. 427. Ethelredus Abbas de Genealogia Reg. Angl. col. 358, 359. Chronicon Johannis Bromton, col. 862, 863. Simeon Dnelmenſis de Geſtis Regum Anglie, col. 156, 157. Hygden Polychron. l. 6. c. 8. Fabian, Caxton, Holinſhed, Graſton, Speed in the life of Edwin, Osburn, Gervaſius Dorobern. Cagrave, Mat. Parker, and Godwin in the lives of Ode and Dunſtan, Fox Acts and Mon. vol. 1. p. 196. Antonini Chron. Tit. 16, 6, 6.* *Anno 957.*

Sub-

Subjects, his Nephew *Edwin* (formerly put by the Crown for his Nonage) was thereupon (though young) crowned King at *Kingston* by Archbishop *Odo*, An. 955. but in the second year of his reign 957. the *Mercians* and *Northumberians* wholly *cast off their obedience to him, and conspiring altogether by unanimous consent, rejecting him from being their King, elected his Brother* Edgar *for their Sovereign Lord*, Deo dictante & annuente populo: VVhereupon *the kingdom was divided between them by the bounds of the River of* Thames.

VVhat was the true Cause of this deposition and rejection of *Edwin* is very doubtfull: *William* of *Malmesbury*, *Hovedeu*, *Matthew Westminster*, *Dunelmensis*, *Bromton*, *Henry de Knighton*, *Abbot Ethelred*, *Hygden*, *Florence* of *Worcester*, and most of our old Historians being Monks, and over-much devoted to their Arch-Patron *Dunstan*, record: That the true Causes thereof were, First, His ill lascivious Life and Incontinency with *Alfgiva* his Concubine (as they write) and near kinswoman, from whom Archbishop *Odo* divorced him; and likewise with sundry other Concubines which he entertained in his Court, whom *Odo* excommunicated and banished thence. 2. *His Indiscret* and Tyrannical *Government contrary to his Laws*. 1. 'In slighting, depressing and destroying the Nobles and 'Wisemen of the Realm, who disgusted his lascivious 'Courses, and in favouring ignorant, unjust, vicious 'persons, and following their most wicked Counsels. '2. In banishing Abbot *Dunstan*, and seising upon all 'his Goods, only for Justice sake, because he reprehended him for his exorbitant vicious Courses (being then the chief swaying Grandee, and head of the Monkish faction.) '3. In forcibly thrusting out by 'Armed Souldiers all the Regular Monks throughout '*England*, and casting them forth of the Monasteries, (there being then no Regular Monks in any Monasteries,

Propositi. 2, 4.

'but only in Glaſtonbury and Malmesbury as the Chro-
'nicles of Wincheſter, and others record:) then ſeizing
'upon all their wealth, and beſtowing their Lands
'and Monaſteries on ſecular and maried Prieſts, and
'afflicting theſe Monks in ſundry other kinds. But
(g) Henry Arch-Deacon of Huntington, an antient, judi-
cious, impartial old Hiſtorian, flouriſhing in the year
1148, mentions none of theſe particulars, in his life,
but gives this honorable Teſtimony of his Govern-
ment, that it was both proſperous, flouriſhing and lau-
dable. *Rex* Edwi *non illaudabiliter Regni infulam tenu-
it*; Anno *Regni ſui Quinto, cum* in principio Regnum
ejus decentiſſimè floreret, proſpera et lætabunda ex-
ordia *mors immatura perrupit*. And therefore Archbi-
ſhop (h) Parker, (i) Biſhop *Godwin*, (k) *Speed*, and
(l) others conceive, that the true cauſe why the *Merci-
ans* and *Northumbrians*, (& thoſe only, not the reſt of his
ſubjects and kingdom) *rejected him*, and *ſet up his Bro-
ther* Edgar (whoſe laſciviouſneſs was more exceſſive, and
vices more extorbitant in ſome degrees than *Edwins*,
which yet our former Monkiſh Hiſtorians blanch or
excuſe) was *the Malice of* Dunſtan, and Odo (the Pil-
lars and Oracles of the Monkiſh Clergy;) who ſtirred
'up the *Mercians* and ſeditious rebellious *Northumbri-
'ans*, againſt him, to ſet up *Edgar* in his ſtead, who was
'totally devoted to them and *Dunſtan*, by whoſe Coun-
'ſels he was afterwards wholy guided, and built no leſs
'than 47 new Monaſteries for the Monks, beſides all
'thoſe he repaired, intending to build three more had
'he lived, to make them 50 compleat; and likewiſe
caſt out the ſecular and maried Prieſts out of all Mona-
ſteries and Churches unleſs they would become Monks,
replenishing all Monaſteries & Churches with Monks
alone. They likewiſe inform us, that the true cauſes
of kings *Edwins* baniſhing *Dunſtan*, ejecting the
Monks, and ſeiſing their Lands and Treaſures was,
'That *Dunſtan* had ſo bewitched *Edmund*, *Edward*,
'*Athelſtan*, and *Ædred* his Predeceſſors, with the

(g) *Hiſtor. l. 5, p. 356.*

(h) *Antiq. Eccleſ. Brit. p. 47 to 54.*

(i) *Catalogue of Biſhops in the lives of Odo & Dunſt. p. 19, 20, 21, 22.*

(k) *Hiſtory of Great Brittain. p. 403, 404.*

(l) *Spelm. concil. p. 429, 430.*

'love of Monkery, as that they not only took violent-
'ly from maried Priests their livings to erect monaste-
'ries, but also lavishly wasted much of their own Roy-
'al Treasures, Lands and Revenues upon them, which
'they should have rather employed in resisting the
'common Enemies of God and their Country, the
'*Danes*: whereupon *Edwin* perceiving that all the
'wealth of the Land was crept into Monasteries, not on-
'ly refrained to bestow more on them, but recalled di-
'vers of those prodigal Gifts his Predecessors had gran-
'ted them, which the Monks refusing to render upon
'demand, he seized upon them by armed Officers, as ha-
'ving indeed cheated his Predecessors and defrauded
'the Kingdom of them. *They adde hereunto, that King*
'Edrid *had* committed all his chief Household-stuff,
'Plate, Records, and the Treasures of all the Realm,
'with all the Magazines he had gotten, to *Dunstans*
'custody, and laid them up in the Monastery at *Gla-*
'*stonbury*; yea, he committed his Kingdom, body and
'Soul unto him, So as all was wholly in *Dunstans* pow-
'er, who alone managed all the publick affairs of the
'Realm, and exercised Regal Authority. And when
'King *Edred* in his sickness demanded all his Hous-
'holdstuff, Jewels, Monies and Treasures from him,
'*Dunstan* pretending to fetch them, before he return-
'ed with them, *Dustan* heard a voice (*as our Monkish*
'*Writers fable*) that *Edred* was dead in the Lord; and
'thereupon detained them in his and his Monks custo-
'dy, being unwilling to part with them to young King
'*Edwin* his Successor, whereupon he seised on them
'by force, as of right belonging to him, and expelled
'*Dunstan* with his Monks. And so much the rather,
'because *Dunstan* presumed most impudently and vio-
'lently, to rush into his Bed-chamber, and pull him
'out forcibly thence on the very day of his Coronation
'(contrary to all Christian and Princely Modesty) from
'the embraces of his beautifull and beloved *Alfgina*,
'which

'*which some Monks and these Historians report, to be his* '*lawfull wife, not his Concubine, and not content there-* '*with, he excited* Odo *Archbishop of* Canterbury, pub- 'lickly to divorce her from him; some say, *for con-* '*sanguinity only*, and others for other Reasons. 'Whereupon the king betaking himself to his Concu- 'bines, *Odo* suspended him from the Church, ex- 'communicated all his Concubines, caused one of 'them whom the king best affected, to be violently 'fetched out of the Court with armed Men, branded 'her in the forehead with an hot Iron, and then bani- 'shed her into *Ireland*.

After which she returning into England, Odo *apprehended her the second time, and cut off her Sinews at the Hock-bone.* All which intollerable Affronts so incensed *Edwin*, that he banished and spoyled *Dunstan* with his Monks as aforesaid, and threatned *Odo* with severe punishments; none others in the Realm but these daring then to oppose him: hereupon they formerly and then bearing the greatest sway, by way of revenge, and to preveut *Edwins* further fury against them, *stirred up the* Mercians *and* Northumbrians *to reject him, and that in a tumultuous manner, by force of Arme, in which Uproar* Edgar *gained possession of half his Kingdom.* (*m*) *Matthew* Parker and Sir *Henry Spelman* out of him, subjoyns, that by these civil dissentions raised between King *Edwin* and his Brother *Edgar*, they much weakned *the forces of the Realm in many set Battels fought between them; till at last* Edgar *getting the better; Convocato* ad *Branfordiam* Regni concilio, Fratris Edwini acta et decreta *rescendit. Assemblong a* Council *at* Brandford, *he repealed all the Acts and Decrees of his Brother King* Edwin, *restored to the Churches and Monasteries the Treasures he had taken from them, recalled* Dunstan *from his former banishment, and made him first* Bishop of Worcester, *then of* London, *and last of all of* Canterbury.

(*m*) *Antiq. Eccl. Brit. p. 4. p. 153. Spelm. concil. p. 431. ntonius in his life.*

Propos. 5.

[n] *De Eventibus Angliæ, l. 1. c. 5. col. 2312, 2313.*

[n] *Henry de Knyghton*, a Canon of the Abbey of *Leicester*, relates, out of the *History of Leicester Abbey*; 'That *Edwin* being expulsed and shamefully thrust out 'of his kingdom, for his evil life, and exorbitant acti- 'ons done against the Church, the Monarchy of *Eng- 'land* continued void above a year. Whereupon, 'many murders and wickednesses were committed, 'and infinite mischiefs happened amongst the people for 'want of Government, until holy men, both of the 'Clergy and People deeply affected therewith, hum- 'bled themselves, and unceasantly repented of their 'sins, and prayed day and night to God, that he 'would hear them, and mercifully relieve them in so 'great necessity, giving them such a King who might 'govern the Realm of *England* in such sort, as might 'redound to the honour of God, and profit of the 'Realm. That God beholding their prayers from on 'high, in the night silence, this voice was heard from 'God; That they should crown *Edgar* King, though but then a youth; *who rejoyced with this Divine Oracle*, (most likely by the Monks and *Dunstans* Legerdemain, the Divine Oracle that uttered it) *speedily advanced* Edgar *to be King, being but* 16 *years old; and so he was elected and crowned King by a divine Oracle; which never hapned to any King of* England *in former times.*

Anno 959. [o] *Mat. Westminst. Ingorn. Et Sim. Dunelm. Anno* 959. *Will. Malmesb. de Gest. Regum Angl. l. 2. c. 8. Ethelredus Abbas de Genealogiâ Regum Angl. col.* 359. 360. *Graft. Chron. p.* 354.

Upon *Edgars* Coronation [o] and *Dunstans* restitution, An. 959. *K. Edwin* reigning in a decayed Estate, living in little Esteem, and without being desired, for very grief thereof (as some write) he died, after he had for 4 years space, *Libidinosè simul & Tyrannicè*, lustfully, and also Tyrannically depressed the Realm of *England*: Others affirm, *that he was deprived both of his Life and Kingdom, by the Rebellion of his Subjects*: But his Monkish Opposites record, that he was taken away by *an untimely Death by Gods Just Judgement*, in the year of our Lord 959. Whereupon his Brother *Edgar*, *ab omni populo electus*, being elected king by all the people, united the

the kingdom into one, and obtained the intire Monarchy of the Realm, the kings of *Cumberland*, *Scotland*, and *Wales*, voluntarily ſubmitting, *and doing homage to him, without any effuſion of blood, or war.*

King *Edgar* [p] About the year of our Lord 963. contrived the death of Earl *Ethelwald*, who (as ſome Authors aver) againſt his truſt, had cheated him of *Elfrida*, only Daughter of *Ordgarus*, Duke of *Devonſhire*, the Paragon of her Sex, by diſparaging her beauty to the king, and marrying her to himſelf. After which the king being extraordinarily raviſhed with the true report and ſight of her tranſcendent beauty, thereupon (as Bromtons Chronicle relates) *ſtatim poſt acto dies*, Rex Parliamentum ſuum apud Sarisberiam convocavit, Ubi cunctis ſuis Proceribus congregatis, de cuſtodia *terra* Northumbriæ *qualiter contra ingreſſum* Danorum *melius poſſet* cuſtodiri, tractaverunt; inter quos *Ethelwolfus* ad Cuſtodiam Eboraci & patriæ adjacentis, in illo erat Concilio deputatus. A clear Evidence, *That Matters of defence againſt Common Enemies, and Guardians of the Sea-coaſts againſt the* Danes *Invaſions, were then debated and ſetled by the King and his Nobles in* Parl. *then uſually ſummoned by our Kings for that end.* Hereupon Earl Ethelwolfe travelling through the Forreſt of *Werewell* towards his new VVardſhip, was there cruelly aſſaulted and murdered by ſome unknown armed perſons, there placed in ambuſcado by the king, as was commonly reported, and as ſome relate by king *Edgar* himſelf, who ſhot him through with an Arrow, as they were there hunting together. The ſlain Earls Baſtard-Son being there preſent, beholding his dead Corps, the king demanded of him, *how ſuch a hunting pleaſed him?* who anſwered, *very well my Lord and King; for that which pleaſeth you ought not to diſpleaſe me:* which anſwer ſo pacified this kings ſwelling mind, that he loved no perſon more entirely all his life than this Young man. *Tyrannici facti offenſam in Patrem ſe-*

Anno 963.

[p] *Chron. Johan. Bromton, col. 867. Malmesb. de Geſt. Reg. Angl. l. 2. c. 8 Osburn. Capgrave, Mat. Parker, & Godwin in the life of Archbiſhop Dunſtan, Fox Acts and Mon. vol. 1. p. 200, 201. Speeds Hiſtory, p. 407, 408.*

Propoſit. 5, 9, 4.

dulitate Regiâ in filium allevans, writes *Malmesbury*. This being done, the king with great joy bringing *Alfrida* to *London*, there espoused her, and the same day both of them wore a golden Crown, adorned with pretious pearls, on their heads. Hereupon Arch-bishop *Dunstan*, the next morning, boldly rushing into the kings Bedchamber, whiles they were both in Bed together, demanded of the king; *what Woman he had lying in bed with him?* who answered, *that it was his Queen*; *Dunstan* by way of rebuke replyed; 'That 'he could not marry or retain her as his wife, without offending God, and the Laws of the Church, be'cause he had been Godfather to her Son, often admo'nishing the king, that he would put her away, and be 'divorced from her: VVhich he by reason of his ardent love towards her, and unsatiable lust with her, would by no means hearken to.

Anno 964. [r] *Malmesb. de Gest. Reg. l. c. 8. Osburn, Capgrave, Surius, Matthew Parker, and Godwin in the life of Dunstan, Fox Acts and Mon. vol. 1. p. 201, 202. Speeds Chron. p. 407, 408. Spelm. Concil. p. 481, 482.*

Anno 964. *King Edgar* heating of a Nun of incomparable beauty in the Monastery of *Wilton*, named *Wilfrida*, a Dukes Daughter, took her out of the Nunnery, and frequently admitted her to his Bed: VVich being commonly blazed abroad, Arch-bishop *Dunstan* understanding of it, with great passion, and indignation of mind came to the king; who seeing the Archbishop, arose from the Royal Throne to take him by the hand, and give him place. But *Dunstan* refused to take him by the hand, and with a stern countenance, bending his Browes, spake thus unto him. 'Thou that 'hast not feared to corrupt a Virgin, espoused to 'Christ, presumest thou to touch the consecrated hands 'of a Bishop? Thou hast defiled the Spouse of thy 'Maker, and thinkest thou by flattering service to pa'cifie the Friend of the Bridegroom? No Sir, his 'Friend will not I be, who hath Christ for his Enemy, &c. The king terrified with these and other thundering words of *Dunstan*, and compuncted with inward repentance for his perpetrated sin, fell down at *Dunstans*

stans feet weeping: who raising him up again from the ground, began to relate unto him the hainousness of the fact: And finding the king ready to undergoe what ever satisfaction he should lay upon him, injoyned him this following Penance for 7 years space. 'That 'during these seven years he should wear no Crown; 'That he should fast twice every VVeek; That he 'should liberally distribute the Treasures left him by 'his Ancestors, to the poor; That he should build a Mo- 'nastery of Nuns at *Shaftesbury*; That as he had robbed 'God of one Virgin, through his transgression, so 'should he again restore many to him in time to come. 'Moreover, That he should expel Clerks of evil lives, (meaning secular Priests who had VVives and Children) out of Churches, and place Covents of Monks 'in their room: That **he should enact just Laws, 'such as were acceptable to God**: and command the 'people to observe them through all parts of the 'Realm. VVhich the king promising effectually to perform, was thereupon absolved, and vigorously set himself to execute what he had promised.

Anno 966.

Hereupon, in the year 966. (ſ) *King Edgar* founded the Monastery of *Hyde* near *Winchester*, filled it with Monks, endowed them with large privileges and possessions, exempting them from all secular services whatsoever, but these; *rata expeditione, Pontis Arcisve constructione*; præscribed *several Laws and Canons for the Monks thereof to observe, made by* **advice and consent of his Bishops and Nobles**, and ratified by his *Royal Charter*, subscribed by himself, his two sons Prince *Edmund* and *Edward*, his *Queen*, *Grandmother*, both the Archbishops, 9 Bishops, 5 Abbots, 3 Dukes, and sundry others, with the sign of the Cross annexed to their names. In which Charter there is this solemn curse donounced against all the infringers and perverters thereof. 'Si quis autem hanc nostram Donatio- 'nem in aliud quam constituimus transferre voluerit, pri-

(ſ) *Spelmanni Concil. p.* 435, *to* 444. *Mat. VVestm. & VVigorn. An.* 963, 964, *& Monasticon Anglic.*

propositi 1, 10.

'privatus consortio sanctæ Dei Ecclesiæ, æternis Ba-
'rathri incendiis lugubris jugiter cum Juda Christi pro-
'ditore, ejusque complicibus puniatur, si non satisfa-
'ctione emendaverit congrua, quod contra nostrum
'deliquit decretum.

(t) *Histor. p.* 880, 881, 882. *Propositi.* 6, 10. The same year *King Edgar* by his regal Charter (recorded at large by [t] *Abbot Ingulphus*) confirmed all the Lands and Privileges of the *Abby of Croyland*, formerly granted and confirmed to them by King *Edred* and his **Nobles**, in the presence of both the Archbishops [illegible] Bishops, and **Nobles assembled in a Council at London**: who ratified it with their subscriptions, the sign of the Cross, and a solemn excommunication (denounced by the two Archbishops and three Bishops more in *Pauls Church London*, in *the presence of King Edgar* his **Prelates and Nobles**, in *Octavis* Pentecostes] against all Infringers of this Charter and of their Liberties.

Anno 967. [u] *Chron. Io. Brom. col.* 870, 871. *Lambardi Archaion Spelman concil. p.* 443 *to* 476. *Propositi.* 5. *Propos.* 2, 3, 4. About the year 967 as some, or 969. as others compute, *King Edgar* in a *Great Senate* or *Council*, by advise of his *Wisemen*, enacted divers civil & Ecclesiastical *Laws and Canons*, for the Government of the State and Church, thus prefaced, **Leges quas** (or, **hoc est Institutum quod**) Edgarus **Rex, frequenti Senatu, Consilio Sapientum suorum**, *ad Dei gloriam, Regiæ [illegible] ornamentum*, *et* **Reipublicæ utilitatem sanctivit**, *or* **constituit.** The 7 and 8 of his secular Laws in the *Latin*, but 1, 2, 3. in the Saxon Copy, I shall only transcribe.

'Hoc est institutio secularis quam volo per omnia
'teneri. Volo ut **omnis homo sit dignus juris publi-**
'**ci**, super et dives quicunque sit; et eis **justa**
'**judicia judicentur.** Et sit in emendationibus re-
'mitto venialis apud Deum. Et apud seculum tolera-
'bilis. Et nemo requiret Regem pro aliqua causa,
'nisi domi negatur ei omne dignum recti, vel rectum
'impetrare non possit. Et de nulla emendabili re foris

fa-

'faciat homo pluſqnam Weram ſuam (agreeable to our 'Kings Coronation oath, and *Magna Charta*) Et ju- 'dex qui **injuſtum judicium judicabit** alicui, det Regi 'Cxx s. niſi jurare audeat, quod rectius judicare ne- 'ſcivit. Et qui aliquem injuſte ſuperdicere præſumat, 'Unde vita vel commodo pejor ſit, linguæ ſuæ reus e- 'rit, &c.

Anno 969. there was (*x*) **a general Council** aſſembled at *London* by king *Edgar*, at the inſtigation of Pope *Iohn*, and Archbiſhop *Dunſtan*; wherein (as I conceive) the King made that elegant Oration, againſt the vicious lives of the Clergy; thus expreſſing his own duty and ſupremacy over all Perſons and cauſes both Civill and Eccleſiaſtical. Juſtum proinde 'eſt, ut qui omnia ſubjecit ſub pedibus noſtri-, ſubjici- 'amus illi et Nos et animas noſtras; et ut hi, quos 'nobis ſubdidit ejus ſubdantur Legibus, non ſegniter 'elaboremus Et meæ quidem interest **Laicos cum æqui- 'tatis jure tractare**; inter virum et proximum ſuum **'juſtum judicium facere,** punire ſacrilegos, rebel- 'les ſupprimere, eripere inopem de manu fortiorum 'ejus, egenum et pauperem à deripientibus eum. Sed et 'meæ ſollicitudinis eſt, Eccleſiarum Miniſtris, &c. 'et neceſſaria procurare et paci eorum et quieti con- 'ſulere. De quorum omnium moribus ad Nos ſpe- 'ctat examen: ſi vivunt continenter, ſi honeſte ſe ha- 'bent ad eos qui foris ſunt; ſi in divinis officiis ſol- 'liciti, ſi in Docendo populo aſſidui, ſi victu ſobrii 'ſi moderati habitu, ſi in judiciis ſunt diſcreti, &c. 'Ego *Conſtantini*, vos Petri gladium habetis in mani- 'bus; jungamus dextras, gladium gladio copulemus 'ut ejiciantur extra caſtra leproſi, ut purgetur ſan- 'ctuarium Domini, et miniſtrent in Templo filii Le- 'vi, &c. After which directing his ſpeech to *Dunſtan*, *Æthelwald*, and *Oſwald*, he concludes thus. *Vobis iſtud committo negotium, ut Epiſcopali cenſura* **et authoritate**

Anno 966.
(*x*) *Ethelredus Abbas de Gen. Reg. Ang. col. 360, 361. Sim. Dunelm. De Geſt. Reg. Ang. col. 158. Chron. Io. Brom. col. 788. Mat. VVeſtm. VVig. Hov. An. 963, 969. Polych. l. 6. c. 10. Oſb. Ger. Surius. Mat. Parker, Godwin in the life of Dunſtan, Oſwald, & Ethelwald. Fox Acts and Mon. vol. 1. p. 197 to 203. Spelm. conc. p. 476. &c. Baron. Anno 969.*

Regis *turpiter viventes de Ecclesiis ejiciamur, & ordinatè viventes introducantur.* Herupon there was a *Decree* made in this *General Council*, *That all Canons, Priests, Deacons, and Sub-Deacons should live chastly* (that is, put away their lawfull Wives, vow chastity, and become Monks) *or relinquish the Churches they then held*: The execution whereof was committed to *Oswald* and *Ethelwald*; Who thereupon compelled the Clergy in *Worcester*, *Winchester*, and other Churches to become Monks, *renuentes verò ab omni beneficio spoliarunt*, depriving those who refused of all their Benefices, and putting Monks into them, *qui novo quidem splendore universam Insulam illustrarunt*, as our Monkish Writers record: or rather *novo fœtore contaminarunt*, as others write (y) *John Bromton* informs us, that after the slaughter of the *Nuns* of *Ely* by *Inguar* and *Hubba*, the secular Priests enjoyed that Monastery one hundred years space; whom King *Edgar* **de Concilio** *beati* Dunstani *Archiepiscopi, & dicti* Ethelwaldi, **ac magnatum Regni** (in the forementioned General Council) *expulit & fugavit* for their dishonest conversation.

Propoſit. 4.

(y) *Chron. col.* 868.

Propoſ. 4.

[z] *Spelman. Concil. p.* 432 *to* 435. *See Mat. Weſtm. Vigorn. and Hoveden, Anno* 966. *Sim. Dunelm. Hiſt. De Geſtis Reg. Angl. col.* 158.

Bishop Oswald having ejected the married secular Priests out of his Church at *Worcester*, and introduced Monks in their places, did this year 969. as I conjecture from the premises (not 964. as Sir *Henry Spelman* computes it) (z) *procure King Edgar* **by the Counsel and assent of his Princes, Nobles and Bishops** (most probably in the forementioned *General Council*, or that of *London* next ensuing) to ratifie this *their ejection, and confirm the Church of* Worcester, *with all the lands, goods, ecclesiastical & secular things thereto belonging to the Monks of that Church for ever, free from all secular services and exactions, hard or easie, and from all fiscal duties great and small, known or unknown, as well of the King or Prince, as of their Officers*, exceptis Arcis, & Pontis extructione, **et expeditione contra hostem**,

Propoſit. 4, 6,

ctem. And that by the ſpecial Charter, called *Oswald* Law, ſubſcribed *by the King, Queen, both the Archbiſhops, and* 3 *Dukes.*

(*a*) *King Edgar*, Anno 970. or 971. in the 12 year of his reign held another *Parliamentary* **Council** at *London*, where himſelf, his Mother *Alfgina*, *Prince Edward* his Son, *Kined* King of *Scots*, *Maſcuſius* his Admiral, *both the Abchbiſhops, with the reſt of the Biſhops,* **and all the Nobles and great men of the Realm were** *preſent*, By his Charters made in and ratified by this Council, this King granted and confirmed many and very magnificent Privileges to the *Monaſtery of Glaſtonbury* **communi Epiſcoporum, Abbatum, Principumque conſilio. et generali aſſenſu, Pontificum, Abbatum, Optimatumque ſuorum**, *exempting the Monaſtery and Monks thereof, not only from all Epiſcopal Juriſdiction, but likewiſe all their Lands from all Tributes and Exchequer buſineſſes for ever*, Granting them 'Socam & Sacam. &c. Toll & Teame. **Ita libere et quiete, ſicut ego habeo in regno meo**: Eandem quoque 'Libertatem & Poteſtatem quam ego in Curia mea habeo, tam in demittendo, quam in puniendo, & in 'quibuſlibet omnino negotiis Abbas & Monachi præfati Monaſterii in Curia ſua habeant. And which is a Privilege beyond all preſident, 'Si autem Abbas, vel 'quilibet Monachus loci illius latronem, qui ad ſuſpendium vel quodlibet mortis periculum ducitur in i'tinere obvium habuerit, poteſtatem habeat eripiendi 'eum ab imminenti periculo **in toto Regno meo.** The old Charter begins thus.

'In nomine Domini noſtri Jeſu Chriſti. Quamvis 'Decreta Pontificum, & verba Sacerdotum inconvulſis ligaminibus, velut fundamenta montium fixa ſunt, 'tamen plerumque tempeſtatibus & turbinibus ſæculari'rum rerum Religio ſanctæ Eccleſiæ maculis reprobo'rum diſſipatur ac rūpitur. Iccirco proſutu ū ſuccedentibus poſteris eſſe decrevimus **ut ea quæ ſalubri Conſilio**

Anno 970.

[*a*] *Malmesb. de Geſtis Reg. Angl. l.* 2. *c.* 8. *p.* 57, 58. *Speiman. Concil. p.* 483, *to* 488. *Monaſt. Anglic.*

'et communi assensu definiuntur, nostris literis roborata firmentur, &c. Hoc itaque *Dunstano Dorobernienſi*, atque *Oswaldo Eboracenſi* Epiſcopo adhortantibus, consentiente etiam et annuente *Brithelmo Fontanenſi Epiſcopo*, **cæterisque Episcopis, Abbatibus et Primatibus**: Ego *Edgar* divina dispositione Rex Anglorum, &c. And it concludes thus, 'Acta est hæc Privilegii pagina, & confirmata apud 'Londonium **Communi Concilio omnium Primatum meorum**: Then follow the subscriptions of King *Egar*, *Alfgina* his Mother, Prince *Edward*, *Kinred* King of *Scots*, *Mascusius* the chief Admiral, both the *Archbishops*, 6 *Bishops*, 8 *Abbots*, 3 *Dukes*, and other *Officers*: Which Charter and Privileges at the Kings request were ratified by *Pope John* the 13 in a general Council at *Rome*, Anno Dom. 971. by a *special Bull*, that they might remain inviolable: yet both the Abbey it self, Lands, Privileges are long since demolished, dissipated, annihilated, such is the mutabiliunity of all sublunary things.

Proposit. 6, 10.

The self same year (Anno 970.) [b] King *Edgar* by his Charter granted and confirmed sundry Lands and Privileges to the Monastery of *Medeshamsted* formerly demolished by the *Danes*, which Bishop *Æthelwold* had repaired, and named *Burgh*, perpetually exempting it from all Episcopal jurisdiction, yoak, and exaction; *Quatenus nec Rex, nec Comes, nec Episcopus, præter Christianitatem attinentium Parochiarum, nec Vicecomes, nec ulla alia major minorve persona, ulla dominatione occupari præsumat, excepta moderata expeditione, & Pontis Arcisve constructione.* VVhich Charter was ratified by the kings own subscription, both the Archbishops, sundry Bishops, Abbots, Dukes, and other chief Officers, and the sign of the Cross after each of their Names.

[b] *Ingulphi Historia. p. 883, 883.*

Anno 973.

In the year 973. [c] *King Edgar* after his seven years

[c] *Matthew VVestm. VVigorn. Sim. Dunelm, Hoveden, Bromt. and others, An. 973. Malmesb. de Gest. Reg. l. 2. c. 8, p. 10, Hen. Huntind, Hist. c. 5. l. 356. Hoved, annal. pars prior, p. 426,*

years penance expired, on the Feast of *Pentecost* in the 30th year of his age, was solemnly Crowned, and consecrated King, and wore his Crown with great glory at *Akemanceſter*, alias *Bath*, both the Archbishops *Dunſtan* and *Oſwald*, with all the rest of the *Bishops of England*, ac **magnatibus univerſis**, and all the Nobles being there present at his Coronation, and received the accustomed Gifts usually given to the Nobles being at such inaugurations. Soon after the same year this *King* with a very great Fleet and Army sayling round about the *Northern* parts of *England* came to *Weſtcheſter*, where his eight tributary Kings or Vice-royes, (namely *Kyneth* king of *Scots*, *Malcome* King of *Cumberland*, *Marcus* king of *Man*, and many other Ilands, and the other 5 kings of *Wales*, *Dufnall*, *Siferth*, *Howel*, *Iames*, *and Inchill*) met him as he had commanded them, and swore allegiance to him in these words: **That they would be faithfull and assisting to him both by Land and Sea.** Which done, he on a certain day entred with them into a Barge, and placing them at the Oares, himself took the Helm, and steered the Barge very skilfully whiles they rowed it down the River of *Dee* from his Palace to the Monastery of St. *John Baptist*, on the other side, all his Dukes and Nobles following and accompanying him in other Barges: where having made his Prayers, they all rowed him thence back again in like pompe to his Royal Palace; which when he had entred he said to his Nobles: *That any of his Successors might then say he was King of* England, *when with so many Kings following and subject to him, he should enjoy the Prerogative of the like pompe and power.* But Mr. *Fox* subjoyns; *In my mind this king had said much better: God forbid that I should glory in any thing but in the Cross of our Lord Jesus Christ.*

Malm. de geſt. Reg. l. 2. c. 8. p. 56. Huntingd. Hiſt. l. 5. p. 356. Hov. Annal pars prior. p. 426. Mat. weſtm. Flor. wigorn. Simeon Dunel. An. 973, 974. Chron. Io. brom. col. 869. Ethelredus. Geneal. Reg. Ang. col. 362. Polychron. l. 6. c. 10. f. 238. Hen. de Knyghton, De Eventibus Ang. l. 1. c. 1. Walſing. Hiſt. Ang. p. 51. Fox Acts and Mon. vol. 1. p. 200. Caxton, Grafton, Fab. Holinſh. Speed, Baker, and others in the life of Edgar. Mr. Seldens Mare clauſum. l. 2. c. 11, 12.

(e) The year following An. 974. Certain Merchants comming from *York*, arived in the Isle of *Thanet* in

Anno 974. (e) Mat. weſt. An. 974. 374. Hen. Huntingd. Hiſt. l. 5. p. 356. Chron. Io. Brom. col. 867. De Geſt. Ang. l. 2. p. 58. Ingulphus, Hiſtor. p. 884.

Kent, where they were presently taken by the *Ilanders* and spoyled of all their goods; which king *Edgar* being informed of, was so far incensed against
Propos. 2,4. these Plunderers, that he spoyled them of all their Goods, and deprived some of them of their lives; Which *Huntingdon* and *Bromton* thus record. *Rex* Edgarus *undecimo Anno Regni sui jussit prædari Insulam* Tenet. **Quia jure Regalia spreverant:** *non ut hostis insaniens, seu* **ut Rex malo mala puniens.** The same
(f) De Gest. Reg. l.2, c.8.p. 28. year as (*f*) *Malmesbury*, (*g*) *Ingulphus* and [*h*] others
(g) Histor. p.883. &c. write, king *Edgar*, by his *regal Charter*, caused the
(h) Spelman. concil. p.488, 489. secular Priests to be removed out of the *Monastery* of *Malmesbury* and introducing Monks in their places, restored to them the Lands and Possessions of the monastery, which the secular Priests formerly enjoyed and had leased out; & that upon a full hearing before
Propos. 4,6, the **Wise-men, Bishops & others in his presence,** most likely in a Parliamentary Council, as this clause in his Charter intimates. *Hæc a prædictis accommodata Clericis, a comentioso possessa est* Edelmore: *sed superstitiosa, subtil que ejus disceptatione* **a sapientibus meis audita,** *et conflictatione illius mendosa* **ab eisdem me præsente convicta,** *Monasteriali a me reddita est usui.* If the *Council* of *Winchester* (hereafter cited Anno 975.)
(b) Chron. of Winton Spelman concil. p. 491. was held in King *Edgars* life time, as (*h*) some affirm, most probably this debate here mentioned touching these Lands, was held in and before that Council, and this Charter therein made and ratified with the subscriptions of the Kings, Arch-bishops, Bishops, Abbots and Dukes thereto annexed, according to the
(i) Malm. de Gest. Reg. l.2.c. 8. Athelredus. de Genealog. custome of that age.

Although King (*i*) *Edgar* in his younger daies was subject to many Vices, and committed some injurious

Reg. Ang. col. 359, &c. Polychron. l.6.c.9, 10, 11. Henry Knyghton de Eventibus Ang. l.1. c. 2. Mat. Westm. Wigorn. Ingulphus, Huntingdon, Hoveden, Brom. Sim. Dunelm. Wil. Thorn, Fab. Caxt. Holinsh. Graft. Speed, Baker in his life. Osburn, Capgrave, Surius in the life of Dunstan. Spelman. concil. Mr. Seldens Mare clausum, l. 2. 6, 11, 12, and others.

Ty-

Tyrannical Acts, recorded by *Malmesbury*, *Fox*, *Speed*, and others; yet repenting of these his youthfull, lustfull Vices, he proved such a just and prudent King, that [i] our Historians of elder and later ages give these large Encomiums of his Justice, Prudence, Piety, Vertues, and politique Government: worthy perpetual memory and immitation. *So excellent was he in* **Justice**, *So sharp was he in correction of Vices, as well in his Magistrates, Officers, and other Subjects; that never before his days was less felony by Robbers, nor less extortion or Bribery by false Officers; such as were wicked he kept under, them that were Rebels he repulsed, the godly he maintained, and the just and modest he loved; the learned and vertuous he encouraged: He would suffer no man of what degree or quality soever he were* **to elude or violate his Laws** *without condigne punishment. In his time there was neither any private Pilferer, nor publike Theef, but he that in stealing other mens Goods, would venture and suffer (as he was sure) the loss of his own Goods, and Life. He was no respecter of persons in judgement; but judged every man according to the quantity of his Offence, and quality of his person. He united all the Nations under him, which were divers, by the Covenant and Obligation of one Law: Governing them all with* **such Justice, Equity, Integrity and Peace**, *that he was stiled* **Rex, or Edgarus Pacificus**, *the peaceable King Edgar. In his days, not Torments, not Gibbets, not Exile, not banishment were so much feared, as the offending of so good and gracious a King. He built and endowed no lesse than 48 Monasteries, and restored many more, endowing them with large possessions, privileges, (out of Piety and Devotion, as these times reputed it) & was a great honourer, lover, promoter of the vertuous and learned Clergy, and suppressor of the vicious and scandalous. There was scarce one year throughout all his reign wherein he did not some great and memorable necessary thing for the good of his Country and people, the honour of God, and advancement of*

[i] *Malmesb. de Gest. Reg. l. 2. c. 8. Ethelredus de Genealogia Reg. Angl. col. 359. &c. Polichron. l. 1. c. 9, 1, 11. Hen. Knighton de Eventibus Angliæ, l. 3. c. c. 2. Mat. Westm. Wigorn. Ingulphus, Huntindon, Hoveden, Bromton, Simeon Dunelm. wil. Thorn, Fabian, Caxton, Holinshed, Graston, Speed, Baker in his life, Osburn, Capgrave. Surius in the life of Dunstan. Spelmanni Concil. Mr. Selden. Mart. Clausum, l. 2, c. 11. 12. Antonini Chron. p. 2. and others.*

Re-

Religion. All which made him so honoured and beloved by his Subjects at home, so far dreaded by his Enemies abroad; that *Nullas Domesticorum insidias, nullum exterminium alienorum sensit*: He never felt any homebred treachery, or forein invasion, but reigned peaceably all his days, without war or bloodshed, which none of his Predecessors ever did. He was so far from tollerating any violence or rapine in men towards each other, that he commanded all the Wolves and ravenous Beasts, greedy of blood, to be destroyed throughout his Dominions: And such an Enemy was he to Drunkenness (the Mother of Vices, Murders Quarrels, Thefts,) wherewith the Danes had much infected the English, that to prevent and redress it, he caused Pins to be set in every Cup, prohibiting by severe Laws and Penalties, that none should force others to drink, nor yet drink below those Pins, in that moderate proportion which he prescribed them. Among other his Politick deeds, for the peace and safeguard of his Realm against pillaging Pirates, and Forein Invaders, he had always in readiness 3600 (as most) or 4800 strong ships of War (as others record) to secure the Seas in the Sum-
Propos. 359. mer season, which he divided into three Squadrons or Fleets: whereof he placed 1200 in the East Seas to guard them; 1200 in the South Seas; 1200 in the West Seas, (and 1200 in the North Seas, as some write) to prevent Piracies, and repulse the invasion of Forein Enemies. These Ships immediatly after Easter met together every year at their several places of Rendezvous, wherewith the King sailed round about the Island and Sea-coasts, with a great force, to the terror of Foreiners, and exercising of his own subjects, saying with the Eastern Navy to the Western parts of the Iland, and then sending them back with the Western Fleet to the Northern Coasts, and then saying with the Northern Fleet to the South; pius scilicet explorator, ne quid Piratæ turbarent. After his return from the Sea, in the Winter and Spring, he used to ride in Progress through all the Counties of the Realm, diligently to search and inquire

how

how his Laws, Statutes, Ordinances were kept and observed by his Princes, Great Men, and Officers, lest the Poorer sort of people should suffer prejudice, or be oppressed by the Greater & Richer: And whether his Judges or Justices judged uprightly, according to the Laws, or insured any through Bribery, Malice, or Partiality, *Violati Juris severus Ultor*, being a severe Revenger of his violated Laws, *sparing neither Rich nor Poor, but judging him justly according to the quality of his transgression.* In hoc Justitiæ in illo fortitudinis, in utrcque **Reipublicæ & Regni utilitatibus consulens**, as *Wiliam* of *Malmesbury*, and *Flor.* of *Worcester* report *of him*. Et ideo tempore suo latrones nulli fuerunt, nec aliquis qui Guerram vel turbationem in Regno movere audebat. Merito ergo non infirma inter Anglos fama est; nullum nec ejus, nec superioris ætatis Regem in Anglia recto & æquabili judicio *Edgaro* comparandum: He being Flos et Decus antecessorum Regum, non minus memorabilis *Anglis*, quam *Romulus Romanis*, *Cyrus Persis*, *Alex. Macedoniis* *Arsaces Parthis*, *Carolus Magnus Francis*; as *Malmesbury*, *Abbot Ethelred*, *Florentius VVigornienſis*, *Simeon Dunelmenſis*, *Henry Huntindon*, *Matthew VVeſtminſter*, and * others record of him, who are much more copious in his prayses. [k] Mr. *Fox* closeth up his Encomiums of him with this Speech: As I see many things in this worthy Prince to be commended; so this one thing in him I cannot but lament, to see him like a Phœnix to fly alone, that of all his Posterity so few there be that seek to keep him company.

* *Polychron. l. 6. c. 11.*

[k] *Acts and Mon. vol. 1. p. 200.*

Towards the end of his Reign the [l] *Welchmen* moving some rebellion, he thereupon assembled a mighty Army to suppress and prevent it; wherewith he entring into the Country of *Glamorgan*, sharply punished the Ringleaders thereof: *But his Souldiers doing great harm in plundering the Country, lading themselves with*

[l] *Polych. l. 6. c. 11. f. 239. Chron. Joh. Bromt. col. 870. Speeds History, p. 406.*

with spoyls; the King out of his bounty, commanded them to restore to the People all the spoyls they had gotten; and more especially St. Ellutus *Bell*, that was hanged about an Horses neck; whereby he purchased singular love and honor from the Inhabitants. At length after he had reigned thus, 16 years and two months in great tranquillity and honor **totum regnum sanctis legibus strenue gubernantem**, as (m) *Eadmerus* relates of him, he died happily on Wednesday the 8 of *July*, Anno 975. *Nec potuit male mori qui bene vixerat, qui tot Ecclesias Deo fundaverat, qui tot bona perennia brevi tempore stauerat*, as (n) *Henry Arch-Deacon of Huntingdon* observes, who bestowed this honourable *Epitaph* on him, remembred also by (o) others.

(m) Histor. Novorum. l. 1. p. 1.

(n) Histor. l. 5. p. 356.

(o) Io. Brom. Chron. col. 870. Fox Acts and Monuments vol. 1. p. 202.

Auctor opum, vindex scelerum, largitor honorum,
Sceptifer Edgarus *Regna superna petit.*
Hic alter Solomon, **legum Pater** *Orbita Pacis;*
Quod caruit bellis, claruit inde magis.
Templa Deo templis Monachos Monachis dedit agros;
Aequitiæ lapsum, justitiæque locum.
Novit enim Regno verum perquirere falso,
Immensum modico, perpetuumque brevi.

'Immediately after his death, Res et spes Anglo-'rum retro sublapsæ sunt, totius Regni status est per-'turbatus; et post tempus lætitiæ quod illius tempore 'vigebat pacificè, cæpit tribulatio undique advenire, as *Malmesbury*, *Wigornienſis*, *Hoveden*, *Simeon Dunelmenſis*, and *Bromton* observe: such an incomparable loss was the death of so just, pious, and prudent a King to the whole Nation, qui juventutis vitia, postea magnis virtutibus delevit, when most others do quite contrary.

(p) King

[p] *King Edgar* at the time of his deceaſe leaving behind him *two Sons* by two venters, *Edward* his eldeſt Son by Queen *Ethelfleda* his firſt Wife, then but 12. years old, and *Ethelred* his ſecond Son by his ſecond Queen *Elfreda*, then not much above 7. years of age; There aroſe a great contention **amongſt the Nobles of the Realm about chooſing of a new King.** For Queen *Elfreda*, with *Alfgerus* Duke of *Mercia* and many other *Nobles*, ſiding with the maried Secular Prieſts againſt the Monkiſh Clergy, combined to advance young *Ethelred*, **electing him unanimouſly for their King,** diſavowing *Edward* as *illegitimate, and begotten of an harlot before mariage*; as *Malmesbury* de Geſtis Regum, l. 2. c. 8. *Osburn* in the life of *Dunſtan*, *Nicholas Trivet*, *Johannis Pariſienſis*, *Vincentius*, *Antoninus*, *Matthew Parker* in the Life of Archbiſhop Dunſtan, *Mr. Fox* and others repute him: though *Ingulphus*, *Huntindon*, *Hoveden*, *Mat: Weſtminſter*, *Florentius Wigornenſis*, *Bromton*, *Abbot Ethelred*, *Simeon Dunelmenſis*, *Radulphus Ciſtrenſis*, and the generality of our modern *Hiſtorians*, repute him *Edgars lawfull Son, and right heir to the Crown*: Whereupon the moſt of the Nobles elected him to ſucceed unto his Father: The two Archbiſhops, *Dunſtan*, and *Oſwald*, with all the Biſhops, Abbots, and Clergy of the Monkiſh faction, holding their new-gotten States dangerous, and their footing unſure, if in the nonage of the King, their Oppoſites ſhould rule all under him, as they imagined they would, if *Ethlred* were elected by them; thereupon abetted the Title of *Edward*, as altogether wrought to their mould and treading in his Fathers foottſteps, lawfully begotten in the nuptial bed of Queen *Ethelfleda*, right heir to his Father, and by him deſigned to ſucceed him. Their claimes thus banded amongſt the Nobles, *Dunſtan* and *Oſwald* foreſeeing the danger, *prudently aſſembled* **all the Biſhops, Abbots, and Nobles together in a Great Councel,** *to debate their rights and ſettle the ti-*

Anno 975.

[p] *Ingulphi Hiſtoria*, p. 889. *will*: *Malmsb. De Geſtis Regum*, l. 2. c. 9. *Mat. VVeſtm. VVigornienſis*, *Simeon Dunelmenſis*, *Huntindon*, *Hoveden*, *Anno* 975, 976. *Chron Ioban*: *Bromton*, col. 871, 872. *Henry de Knyghton de Eventibus Angliæ*, l. 1. c. 1. col. 2313. *Eadmerus Hiſt. Novorum*, l. 1. p. 1. *Polychronicon*, l. 6. c. 12. *Fabian*, *Caxton*, *Graſton*, *Holinſhed*, *Speed*, *in the Lives of Edgar and Edward*. *Fox Acts and Monuments*, *vol.* 1. *p.* 203. 204. *Mat. Parker*, *in Archbiſhop Dunſtans life*. *Antonini Chron. pars* 2. *Tit.* 16.

Propoſit. 5, 6, 8.

tle; Where Archbishop *Dunstan* (as some write) comming in with his Cross and Banner, *dum consecrationis ejus tempore* **nonnulli Patriæ Optimates resistere voluissent**; not staying for further debating *de Jure*, presented Prince *Edward* in the midst of them *de Facto*, for their *Lawfull King*, as his Father had declared him at his death. Upon which, the *Major part of the Council*, being Clergymen, *elected, anointed and consecrated* Edward *for their King* **Quibusdam Optimatum murmurantibus**, some of the Nobles of the contrary party murmuring at it, especially Queen *Elfrida*, who thought to advance her young Son to the Throne, that so she might rule all things, and reign under the colour of his name, as *Dunstan* and the Monkish Clergy did under the colour of King *Edwards*, whose Counsels and admonitions he diligently followed in all things, and judgements acted by him.

During the *Interregnum*, and banding of these two parties about the right of the Crown, and immediately after *Edwards* coronation, [q] there *arose great controversies, tumults and civil Warrs between the Monkish Clergy, and maried Secular Priests, and the Nobles siding with both parties.* The maried Priests presently upon *Edgars* death, complained to Queen *Elfrida*, *Elfere*, and the *Nobles*, *That they were unjustly expelled out of their Churches by the Monks and their prevailing party*; alleging, *that it would be a very great and miserable dishonour to the Nation, and shame to them*; ut novus advena veteres colonos migrare compelleret: hoc nec Deo gratum putari, qui veterum habitationem concessit, **nec alicui probo homini, qui sibi idem timere posset quod aliis præjudicio accedisse cerneret.** Hereupon many clamours and tumults arising among the people, they went to Archbishop *Dunstan*; **Præcipue Proceribus, ut Laicorum est, sacclamantibus præjudicium, &c.** *but especially to the* **Nobles**, *as the manner of Laymen is, crying out unto them; that the Secular Clergy were prejudged,*

[q] *Malmsbur. De Gestis Regum. l. 2. c. 9. p. 61. Mat. westmin. Wigornienſis, Ingulphus, Simeon Dunelmenſis, Huntindon, Hoveden, Bromton, Ann. 975. Osbourne, Capgrav, Mat. Parker, Godwin in the Life of Dunstan, Baronius & Spondanus, Annal. Eccl. An. 975. n. 12. Surius Concil. Tom. 2. Fox Acts and Monuments, vol. 1. p. 202, 203, 204, 205.*

judged, and suffered unjustly, being expelled their antient possessions without cause: that they ought to be more mildly dealt with, and restored to their Rights. *Dunstan* giving a deaf ear to these their just complaints, *many of the Princes and Nobles* thereupon, in a tumultuous manner, *expulsed the Abbots and Monks out of the Monasteries wherein King* Edgar *had placed them, and brought in the maried Clerks with their wives in their places, as at first.* Among others, *Alfere Earl of Mercia* gathering great forces, and using much insolence, overturned almost all the Monasteries *King Edgar* and *Bishop Ethelwold* had built in the Province of *Mercia*; *quorundam Potentum assensu et factione*, placing maried Priests in them. This they did **magnis occæcati muneribus** by the maried Clergy, as *Hoveden*, *Simeon Dunelmensis*, *Florentius Wigorniensis*, and our Monkish Historians assert. To which [r] *Abbot Ingulphus* subjoyns. *Cujus* (Regis Edwardi) *sancta simplicitate et innocentia tàm abusa est* **factio Tyrannorum,** *per* **Reginæ favorem et potentiam præcipue roborata,** *quod per Merciam Monachis de quibusdam Monasteriis ejectis, Clerici sunt inducti:* **Qui statim Monasteriorum maneria Ducibus terræ distribuebant, ut sic in suas partes obligati eos contra Monachos defensarent.** *Tunc de Monasterio* Eveshamensi *Monachis expulsis, Clerici fuerunt introducti;* **Terræque Tyranni de terris Ecclesiæ præmiati sunt:** *quibus Regina cum novercali nequitia stans cum Clericis,* **in Regis opprobrium favebat.** *Cum Monachis* **Rex et sancti Episcopi** *persistebant:* **Sed Tyranni fulti Reginæ favore et potentia super Monachos triumphabant.** The Monks on the contrary to secure their interest (by like Bribes and means as is most probable, though our Monkish Historians conceal it) stirred up *Ethelwin* Duke of the *East-English*, and *Brithnorth* Earl of *Essex*, (men of great dread and power) to appear in their quarrel and resist the opposite party. **Qui in Synodo constituti;** who assembled together in a Synod or-

Proposit. 2. 4.

[r] *Historia, p. p. 889. See Fox Acts and Mon. Vol. 1. p. 203, 204.*

Proposit. 6.

or Council for that end, protested, *That they would never indure the Monks should be cast out of the Realm, who held up all Religion in the Kingdom.* After which, *they raised a mighty Army*, defending with great valour the Monasteries of the Eastern English, keeping the Monks in possession of them. This fire between the Monks and maried Priests thus blown from a spark to a flame, was feared to mount higher, if not timely quenched. Wherefore by mediation of Wise men, arms being laid aside, the *cause was referred to be heard and decided between them* **in a Great Council of the whole Kingdom.** For which end there was a famous *Council* summoned and held at *Winchester*; (which some Historians antedate in *Edgars* life, others place in the *Interregnum*, after his death; but the series of Story, and most judicious Antiquaries, evince it to be after *Edwards* Coronation, *Anno* 975.) In this Great Council, the *King* and *Archbishop Dunstan* sitting in their Thrones, as chief Judges of the Controversie, in the East-End of the Hall of the Refectory of *Wincheſter Abby* near the wall, (wherein there was a Crucifix immured just behind them,) **Duces cum toris Regni cognatibus;** *the Dukes with all the Nobles of the Realm*, and the expulsed maried Clerks standing on the left side of the Refectory, and pleading for themselves, *that they might be restored*; and *Oswald* Archbishop of *York*, *Athelwold* Bishop of *Winchester*, with the Monks standing all together on the right side of the Hall, pleading for their continuance in their Churches (as the Author of the old *Manuscript Chronicle* of *Winchester Abby* relates, though he misdates the time of this Council, as held Anno 968.) After much debate, **the Nobles of the Realm** *fearing they should be overcome by dispute* (viz. the Monks) *promising reformation of life on the Clergies behalf, most humbly intreated the King and Archbishop, That they might be readmitted into Monasteries, out of which they had been ejected.* With whose prayers, tears & sighs

fights the moſt merciful King being much moved, was in a great ſtreight, ruminating in his mind, what he ſhould doe in this buſineſs. At laſt purpoſing, and being about to grant pardon to the Clerks, upon hope of their amendment, and to give them leave to return to the Monaſteries and Churches whence they had been expelled; *When he was ready to pronounce this his definitive Sentence*; there was this divine Voice uttered, by the Crucifix in the Wall. **Cum plurium jam ſuffragiis de Presbyteris reſtituendis decernebatur**, as *Matthew Parker* relates it; Abſit ut hoc fiat, &c. *God forbid that this ſhould be done; God forbid it ſhould be done; You have judged well once, you would change again not well.* Which articulate voice only the King and Archbiſhop who were the Judges of the *cauſe*, heard, if the *Chronicle* of *Wincheſter* may be credited, when as another Monk relates, *it was* heard by all preſent; At which voice they being both aſtonied, fell to the ground on their faces; but all the reſt hearing only the ſound of the Voice as of a great Thunder, fell down flat to the Earth very much affrighted. Some write, that both ſides by *Dunſtans* policy appealed to the reſolution of the Crucifix in this caſe, in which *Dunſtan* had placed a man with a Trunk in the wall behind the Image, who uttered this voice in and by the mouth of the Rood: which is moſt probable. Soon after, the *King* and *Dunſtan* heard this ſecond voice from the Crucifix, *Ariſe, be not afraid, becauſe this day Righteouſneſſe and Peace have kiſſed each other in the Monks.* In memory of this cheating Oracle and Monkiſh fable, (of which *Huntindon*, *Hoveden*, *Wigornienſis*, *Ranulfus Ciſtrenſis*, *Fabian*, and other old Monaſtical Hiſtorians make no mention, and *Malmsbury* ſlightly relates it as *An hear-ſay*) the Monks of *Wincheſter* ingraved theſe Verſes over the head of this Crucifix in their Refectory.

Humano

Humano more Crux præsens edidit ore;
Cœlitus effata quæ prospicis hic subarata.

writing the words forcited under this Distick, as then uttered by the Crucifix, which asserted before all, *That* Dunstans *way was true.* Wherewith the Clerks and their Abettors were quite confounded, and put to silence. *Sed adhuc non sedatis animis*, &c. But the Nobles and Clerks minds being not as yet quieted by this Oracle (a clear evidence they suspected it as counterfeit) our Historians inform us, there were three more **great Councils** soon after held to settle this Controverse between the married Priests and Monks. The first at *Kerling*, *Kerding*, or *Cerding*, or *Kirking*, as it is variously stiled, Anno 977. which (*s*) *Wigorn.* and *Hoveden* stile **Magna Synodus**, without recording what was done therein. Sir *Henry Spelman* out of an old *Saxon Note*, calls it **A great Council**, affirmes it was held after *Easter*, and that *Sideman* Bishop of *Devonshire* died in it. That King *Edward* and the Archbishop therein ordained; *That every man should goe in pilgrimage to the Church of* St. Mary *at* Abendune *out of Devotion.* And *Matthew Parker Archbishop of Canterbury*, in the life of *Dunstan*, superaddes: 'Dunstanus ibi cum Monachorum labenti conditioni succurrere voluit, nihil profecit, Itaque hoc dissoluto Concilio, aliud in Regia 'Villa *Wilteria* quæ **Calne** vulgo appellatur coegit.

This Great Council held at [*t*] *Calne* (some stile it *Cleve*) was purposely called the same year, 977. to end the long continued Controversie between the

Propoſit. 5, 6.

Anno 977.

[*s*] *Wigorn. An.* 977. *p.* 360. *Roger Hoveden Annal. pars prior, p.* 425. *Joh. Bromt. Chron. col.* 870. *Sim. Dunelm. Hist. de Gest. Reg. col.* 160. *Antiqu. Eccles. Brit. p.* 56. *Spelm. Concil. p.* 497.

[*t*] *Malmesb. de Gest. Reg. Angl. l.* 2. *c.* 9. *Mat. westmin.*

An. 975. *Vigornienſis, Simeon Dunelmenſis, Huntindon, Hoveden, Bromt. Anno* 975. *Gervasius, Osburn, Capgrave, Matthew Parker, Godwin in the life of Dunstan, Polychronicon, l.* 6. *c.* 12. *Fabian, Caxton, Holinshed, Grafton, Baker in the life of King Edward, Fox Acts and Monuments, Vol.* 1. *p.* 204, 205. *Speeds History, p.* 411, 412. *Baronius, & Spondanus An.* 977. *n.* 2. *Spelm. Concil. p.* 494, 495. *Camdens Britannia, p.* 243.

Monks

Monks and married Prieſts, which the feigned Oracle of the Crucifix at *Wincheſter*, and the Council of *Kerding* could not determine. **All the Senators and Nobles of England ſitting together at this Council** Propoſit. 6. in an Upper room (the King being abſent by reaſon of his tender age or ſickneſs) the buſineſs being debated with great conflict and controverſie; and the ſtrongeſt wall of the Monkiſh Church, Archbiſhop *Dunſtan*, being aſſaulted with the Darts of many revilings, remained unſhaken. The Diſputants of both parties and orders defending their ſides with greateſt induſtry, in the midſt of the diſpute, the whole Floor, with the Rafters and Beams of the Room wherein they diſputed ſuddenly brake in peeces, and fell to the ground, with all the people in it, except *Dunſtan*, who eſcaped without any harm, ſtanding firm on a beam that remained, of which he took hold-faſt; the reſt being either ſlain outright, or very much hurt and bruiſed with the fall, ſo as they languiſhed ever after, hardly eſcaping preſent death. This *miracle* (as our Monkiſh Authors ſtile it) gave peace to Archbiſhop *Dunſtan* from the aſſaults of the *Engliſh* Clerks, and others, who thereupon from thenceforth ſubmitted to his ſentence and judgement, if *William* of *Malmesbury*, and *Mat. Weſtminſter* may be credited; Whereas *Florentius Wigornienſis*, *John Bromton*, and others out of them, aſſure us; that there was not long after another Parliamentary *Synod* or Aſſembly held at *Ambresbery*, upon the ſame occaſion, without recording the Proceedings or Event thereof. Some conjecture that this fall was only a fiction of the Monkiſh VVriters, to adde reputation to their languiſhing cauſe, as well as that of the Crucifix Speech forecited. Others conceive, it was wrought by *Dunſtans* ſorcery, or Policy. Others, that it was caſual, by reaſon of the weight of the People. But *Henry Huntindon* Hiſt. l. 2. p. 357. *Bromton*, col. 876. and Sir *Henry Spelman* out of them, p. 496. record,

That this fall of the Nobles at *Calne*, was (not a Divine Judgement on them for their Opposition against, and injury to the Monks, as some interpreted it, but) *signum Judicium Dei excelsi fuit quod Proditione et Interfectione Regis sui, ab amore Dei Caturi essent, et diversis gentibus digna contritione conterendi*; as they were soon after broke in pieces by the invading conquering *Danes* and *Normans*: And whether the late violent falls and ruptures of our Parliaments and Nobles portend not the like fate to *England*, by some other forein Invasions for the like Treachery, Apostacy, Regicide, or far worse, let those who are guiltiest of it, and others determine at their leisures.

Propositt. 8.

Anno 978. [u] *Matt. Westm. Vigorn. Simeon Dunelm. Huntind. Hovedon, Radul. de Dice. Ethelr. Bromt. An.* 977, 978. *Malmesbury de Gest. Reg. l.* 8. *c.* 2. *Polych. l.* 6. *c.* 13. *Antonius Chron. pars* 2. *Fabian, Caxton, Holinshed, Grafton, Speed, Fox and others in the life of King Edward.*

King [u] *Edward* imitating the footsteps of his Fathers Religion and Piety, was so circumvented by the flattering speeches of his Mother-in-law Queen *Elfrida*, that although she opposed his Title, Election, Coronation, all she could, to advance her own Son to the Crown: yet retaining only the name of a king to himself, he soon after permitted her and his Brother *Ethelred*, his Competitor, to order all affairs of the Realm as they pleased. Whereupon (as the Chronicle of *Bromton* relates) she began to plot how to *dethrone this Man of God King Edward, and advance her own Son* Ethelred *to the Throne*; Which when she had a long time meditated upon, she opened the Secrets of her heart to some of her chief Counsellours, advising with them concerning it, and earnestly intreating, yea conjuring them to assent to her therein, and to find out some means to effect it; *Cui protenus in nocem illius omnes consenserunt*, who all forthwith consented to his Murder, and contrived how they might most speedily accomplish it by some fraudulent device, which they soon after executed in this manner.

King *Edward* hunting for his disport in the Forest near *Warham*, hearing that his Brother *Ethelred* (whom

whom he intirely loved) was near that place, reſiding then with his Mother at *Corph-Caſtle*, (ſome ſtile it *Corneſgate*,) rode thither to viſit him with very few attendants, who either caſually, or of ſet purpoſe lingring behind him, ſporting in the way, he came alone to the Caſtle gate. Queen *Elfrida* who had a long time waited for ſuch an opportunity, being informed thereof, went preſently to meet him with her bloody Aſſaſſinates and welcoming him with flattering Speeches, and a pleaſant countenance, importuned him to lodge there that night, which offer he with thanks refuſed, ſaying he deſired only to ſee and ſpeak with his brother, but would not alight from his horſe: Whereupon ſhe commanded a Cup of Wine to be ſpeedily brought him to drink, appointing one of her boldeſt Souldiers to kill him whiles he was drinking: VVho kiſſing the king, like another *Judas*, under a pretext of love, to take away all ſuſpition, ſo ſoon as the Cup was at his mouth, ſtabbed him preſently into the Bowels with a knife. *King Edward* feeling himſelf wounded, ſet ſpurs to his Horſe, thinking to eſcape to his own faithfull followers; but the wound being mortal, he fell from his Horſe dead, and one of his feet hanging in the Stirrop, he was dragged up and down through the Mire and Fields, and at laſt left there dead near *Carf* Gate. VVhich his wicked Stepmother hearing of, commanded her moſt wicked Servant to drag him by the Heels like a beaſt, and throw him into a little Cottage hard by, that the fact might not be diſcovered. After which ſhe commanded his Corps to be privily taken from thence, leſt this her moſt execrable work of darkneſs ſhould be diſcovered, and buried in an obſcure buſhy moriſh place, where it ſhould no more be found by any. Moſt of our Hiſtorians write, that he was obſcurely buried at *VVearham*, without any Royal State: *Ac ſicum Corpore pariter & Memoriam ſepelliſſent, invidentes ei ſeſpidem, cui vivo in-*

inviderunt decus Regium; So *Malmsbury*; or as *Matthew Westminster* descants on it; *Invidebant enim mortuo Ecclesiasticam concedere Sepulturam* **Cui videnti decus Regium auferebant.** And not content herewith, they made an Edict, than which nothing could be more cruel; **That no Man should lament or speak of his death,** *thinking thereby utterly to delete his memory.* But contrary to their expectation, God by a supernatural light from heaven shining on the place, and sundry Miracles there wrought (if our Monkish Historians may bee credited) frustrated this design. For though the Queen and her Complices out of their transcendent malice (which O that some of late times had not overmuch imitated,) *Inimicitias quas viventi ingesserunt in mortuum protelantes, sepelierunt eum sine Regio honore apud* Warham, **ut sicut vitam ejus extinxerant ita et nomen ejus extinguerent:** *hic vero compertum est contra divinam providentiam non sufficere pravum cor hominis et inscrutabile: Quem enim* **perfidi** *terris abjicerant, Deus cœlo gloriosè suscepit, et memoriæ æternæ insignivit eum Dominus.* **cujus mentionem Proditores obnubulare studuerant.** But mark the sad sequel of this prodigious Regicide, *Proditione Gentis suæ perfidæ,* thus registred by [x] *Henry Huntindon,* an impartial Historian. *Inde Dominus iterum ad iram provocatus est,* **et plus solito irritatus, Genti pessimæ malum inextricabile conferre cogitavit, et quod facere paraverat non distulit.** *Veneruntque* **Dani,** *et operuerunt* Angliam *quasi nubes cœli.* To which [y] *William* of *Malmsbury* subjoyns. *Creditumque et celebritèr vulgatum, quod propter* Elfridæ *in* Edwardum *insolentiam* **multo post tempore tota patria servitutem infremuisset Barbaricam.** Take the summ of his Reign, Murther, Saintship in these words of * *Abbot Ethelred. Translato ad cœlestia Regna Rege* Eadgaro, *in regno terreno filius ejus* Edwardus *successit:* **Qui injuste ab impiis interfectus,** *tum ob [illegible] sanctitatem, tum ob mortis [illegible]tatem* **San-**

Proposit. 8.

(x) Histor. l. 5. p. 357.

[y] De Gestis Regum Ang. l. 2. c. 9. p. 61.

* De Genealog. Reg. Anglor. p. 362.

ti Nomen et Meritum *Deo donante promeruit*: being afterward translated to *Shaftsbury*, and there honourably enshrined.

King *Edward* being thus treacherously murdered on the 17th day of *April*, Anno 978. when he had reigned only 3. years and 8. moneths by hereditary Succession, thereupon on the 8. of *May* 979. his half-brother [z] *Ethelred* was crowned King at *Kingston*, by both the Archbishops, *Dunstan* and *Oswald*, and ten *Bishops* more, in the *presence of the Nobles*, much against *Dunstans* will. And although *Ethelred* so much lamented his Brothers murder, being then but a child of ten years old, not active to promote this Treacherous plot, and so detesting it, that his Mother *Elfrida* in a rage whipped him for it with candles for want of a rod, which made him abhor candles all his life; yet *Dunstan* full of a propheticall Spirit, at the very time of his Coronation told him, that he and his Posterity, together with the whole kingdom, should suffer grievous tribulation all his reign, using these words then unto him; *Because thou hast aspired to the Kingdom by the death of thy Brother, whom thy Mother murdered; therefore hear the word of the Lord; Thus saith the Lord:* **The Sword and Blood shall not depart from thy House, nor from the Nation, but shall rage against thee all the days of thy Life, slaying thy seed, until thy Kingdom shall be translated to another Realm and Nation, whose Customs and Language that Nation over which thou reignest knoweth not;** *qui eos in ultimam redigat servitutem*- who shall reduce **them into the extremest Bondage, for conspiring with thy ignominious Mother against the Blood of thy Brother.** Neither shall **thy sin, nor the sin of thy Mother,** Nor the **sin of those who were privy to her wicked Counsell,** *that they might stretch out an hand* **against the Lords anointed to slay him, be expiated, but by a long Revenge, and much effusion of blood.** Which according

Anno 979.

[z] *Ingulphi Historia p. 889, 890. Mat. VVestm. VVig. & Sim. Dunel. An 978, 979, &c. 1016. Chron. Johannis Bromton, col. 877, 878. will: Malmsbur. de Gestis Regum. l. 2. c. 18. Eadmerus Hist. Novorum, l. 1. p. 1. Hoveden Annal. pars prior. p. 427. &c. Hen. de Knyghton de Eventibus Angliæ, l. 1. c. 2. Polychron. l. 6. c. 12, 13. Caxton, Fabian, Holinshed, Grafton, Speed, Stow & others in the life of K. Ethelred. Radulphus de Diceto Abbrev. Chron. col. 461*

Propositi. 8.

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dingly came to pass; and let all others whom it concerns most nearly, with our whole English Nation now seriously reminde it. This Prophecie was presently after seconded, with a prodigious Cloud, spread and seen over all *England* sundry nights, which appeared sometimes bloudy, other times fiery, and then changing it self into divers sorts of flashings and colours, vanished about the morning. The very next year following the barbarous *Danes* invaded *England*, burnt *Southampton*, killing and carrying away Prisoners almost all the Inhabitants thereof; after which they infested and wasted the Isle of *Teneth*, and City of *West-Chester*, invading *England* every year with new forces, til they had laid the whole kingdom desolate, expelled King *Ethelred*, with his Queen and Children, into foreign parts, and possessed themselves both of the Crown and Realm, as absolute Soveraigns.

And here, before I proceed further, I cannot but take special Notice of Gods admirable retaliating Justice inflicted upon some of our *Saxon* usurping Regicides and their Posterities, worthy our saddest contemplation.

[*] *King Edgar* (as I touched before) injuriously usurped upon his elder Brother King *Edwyn*; and by force of arms deprived him of half his Crown and kingdom at first, and of his whole Realm, if not life too, at last. But within few years after by Gods avenging hand, his best beloved eldest Son and heir, King *Edward*, *to whom he bequeathed the Crown at his death*, was first opposed in his Succession, and soon after most treacherously butchered by his own Queen and younger Son, who invaded the Crown by his slaughter. King *Edgar* treacherously slew Earl *Ethelwold*, (as you have read) to espouse his wife *Elfreda*, & Crown her for his best beloved Queen; who (no doubt) was consenting to, if not the contriver of his murder, as he was hunting in *Worel Forest*. And she to requite this murder, kills his

[*] See *Mat. westm. Malmsb. Huntindon, Hoveden, Ethelwerdus, Ingulphus, Wigornienſis, Simeon Dunelmenſis, & Bromton, Polychronicon, Hen. de Knyghton, Fabian, Speed, Holinshed, Grafton, Daniel in their lives.*

his own Son and heir King *Edward*, as he came from hunting in a Foreſt, not very far diſtant from the ſame place. *Elfere* Earl of *Mercia*, the Queens chief Counſeller and Inſtrument to murther and dethrone King *Edward*, (whom he ſtabbed to death with his own hands, as *Malmesbury* records,) though to expiate this crime, he ſoon after honourably tranſlated his Corps from *Warham* to *Shaftsbury*-Minſter; yet by Gods avenging wrath, *about a year after his whole body was eaten up of Lice and Worms, ſo that he died moſt miſerably.* Queen *Alfrida* the chief *Plotter* of this murder, ſoon after the fact, was ſtruck with ſuch horror of conſcience for this bloudy Regicide, that to pacifie the pangs thereof, and expiate the guilt of his crying bloud, ſhe built two Monaſteries at *Almesbury* and *Warwel*, and caſting off her royal robes and State, entred into the later of them, where ſhe afflicted her ſelf with ſackcloth, faſting, weeping, and ſevere penance unto the day of her death, bewailing this bloudy crime all the remainder of her life. The whole Engliſh Nation, who were either conſenters to, or overgreat connivers at their Soveraigns Murther (which they never publikely queſtioned nor revenged) were not only ſtricken, conſumed with all ſorts of Plagues and ſtrange diſeaſes, but unceſſantly invaded, oppreſſed, ſpoiled, captivated, conquered, murderated, and almoſt quite extirpated by the barbarous *Danes*, who uſurped the Soveraignty over them for three Generations, being made a ſpectacle of divine Juſtice both to Angels and Man. As for King *Ethelred* himſelf, though then an infant, he purchaſed nothing elſe by his Brothers blood, but a Crown of Thorns and Cares, living in perpetual warrs, cares, fears, wants, diſtreſſes, being croſſed in all his deſigns, warrs by Land and Sea, contemned, deſerted, and frequently betrayed by his own Counſellers, Nobles, Commanders, Souldiers, Subjects; forced out of the Realm with his Queen, children, by the conquering

ring *Danes*, all living like exiles in forein parts; dying at last neither lamented nor desired; Some of his Sons after his death were treacherously murthered, (as *Edmund Ironside* by his own Brother-in-law, and *Ethelred* his Son-in-law, Duke *Edert*) all his posterity renounced by the English, and the Danes preferred before them, banished, betrayed, devoted to ruine by the usurping *Danes*, and his own temporizing English Prelates and Nobles. Of which more fully hereafter. Take but this brief Character of his unhappy reign out of [a] *William* of *Malmsbury*, and [b] *Henry de Knyghton*; Ethelredus *post occisionem fratris sui* Edwardi *in Regem levatus* 38. *annis regnum potius obsidit, quam rexit. Nam vita sua cursus sævus et infaustus fuit; in principio, miser; in medio et fine, turpis et reprobus.* *Iste tenuit Regnum in magna angustia:* **Nec mirum, quia sic felonice et injuste intrusus est in Regnum,** *Rex suorum perfidia Ducum avito ex terris solio, et opis egens aliena, in cujus manu aliorum solebat salus pendere.* E Normannia *accercitus* Londoniæ *agebat propter proditores, nunquam procedens, ubi animam laboribus et miseriis natam efflavit. Post cujus mortem* **Proceres Regni, cum Clero stirpem ejus abhorrentes,** Canutum *recognoverunt Regem suum fore.* All which calamities fell upon these Regicides, Traytors, and the whole English Nation, as our Historians observe, for *the murder of their lawfull Soveraign.* And have we not all now just cause to fear the very like, or some sorer Judgements for the selfsame crying Sin, and other transcendent, bloudy, traiterous violences, oppressions of all kinds, farr exceeding this, and all others in former ages? But to proceed from these Generals, to the most observable particulars during his reign.

[a] *De Gestis Regum, l.2.c. 10.*

[b] *De Eventibus Angliæ, l.1.c.2.*

Anno 980. Anno Dom. 980. being the second year of King *Ethelreds* reign, the [c] *Danes* began their invasion and

[c] *Mat. West. Malmsbury, Ingulphus, Huntindon, Hoveden, Simeon Dunelm. Bromton, Wigorn. Radulphus de Diceto, Polychron. Antiqu. Eccles. Brit. Fox, Holinshed, Grafton, Speed.*

perse-

perſecution of the Engliſh, waſting, depopulating with fire and ſword *Southampton*, *Cheſter*, the *Iſle of Teueth*, *Cornwall*, *Devonſhire*, and other places, continuing their depredations ſundry years after, till they became Lords and Maſters both of the Crown and Realm. All our Hiſtorians record, that the ſins of the Engliſh Nation, (eſpecially *their Treaſon and Treachery againſt their innocent murdered Soveraign*) were the original cauſe of this *Daniſh* invaſion, and moſt fatal Judgement: to which Biſhop [d] *Lupus* in his Oration, ſubjoyns theſe other ſins, pertinent to my Theam, of which I fear our Nation is now farr more guilty than their Anceſtors in that age: *Eccleſiæ vaſtantur, ordo Clericalis ludibrio habetur et contemptui; ima plebs proditorie è regno ſumpto pretio venundatur, infantes ab ipſis incunabulis ad miſeram ſervitutem ſumpti et redacti ſunt, omniſque benignitas et eleemoſyna perit. Ipſi denique liberi* **abita libertate frui, et in ſervili conditione conſtituti,** *bonis magnis partis laboribus aut aliundè conceſſis,* **uti prohibentur.** *Et quia hæc gens* **perjuriis,** *Mendaciis* **Juramenti, Fidei, Fœderum** *atque* **Pignorum fractionibus crebris,** *homicidio, furto, et quæ ad Rempublicam labefactandam ſumma ſunt* **Proditione, falſo atque Technis vaferrimis in ipſos Dominos atque Heros multifariam deliquit,** *cujus fuit indicium,* Edwardi *regis ipſis hoſtibus traditio,* &c. The external cauſes principally inviting, incouraging the *Danes* to this invaſion, as (e) *Matthew Parker*, and (f) *Mr. Fox* conjecture, were theſe: *Quod à ſegnibus et torpentibus Monachis* **Regni facultates eſſent abſorptæ;** *auctaque indies* Dacorum *vis ab* Anglorum *ſub Monachis redactorum ignaviam, et civilia orta multa diſcrimina; quæ* Dacos *efferarunt victores.* And *that the* Danes *perceiving the diſcords that were then in the Realm, and* **the hearts of the Subject to be withdrawn from, and ſet againſt their Soveraign,** *they thought it a ſufficient occaſion and advantage to forward their intendments, and omitting no time, arived on the Coaſts of*

[d] *Mat. Parker, Antiqu. Eccl. Brit. p. 63, 64.*

Propoſit. 1. 4. 8.

(e) *Antiqu. Eccl. Brit. p. 62.*

(f) *Acts and Monuments, Vol. 1. p. 207. Speeds Hiſtory.*

Kent, *and spoiled the Country as aforesaid.*

Anno 982. About the year of our Lord 982. One *Leffi* bought lands in the *Isle* of *Ily* of *Adelwold* Bishop of *Winchester*, and not only denied to pay for them, but likewise forcibly disseised the Bishop of 3. Manors, *Burch*, *Undeles*, and *Kateringes*, which the Bishop recovered by Judgement of the *Earldermen*, and *Thanes* in the WITENAGEMOTE (Wittagemiot) or Parliamentary Assembly of that age, thus reported by the antient (*g*) *Book of Ely*, and by (*h*) *Mr. Selden*, out of it.

[g] *Ms. de Operibus B. Edelwoldi, Episcopi.*

[h] *Titles of Honor, second part. c. 5. sect. 6. p. 693.*

'Edicitur placitum apud *Londoniam*, quo cum *Duces*, '*Principes*, *Satrapæ*, Rethores et Causidici ex omni parte 'confluxerant, beatus *Ædelwoldus* præfatum *Leffium* in 'jus protraxit, et coram cunctis suam causam et injuri-'am, ac rapinam quam ipse *Leoffius* intulerat sanctæ 'Ecclesiæ ex ordine patefecit. Qua re benè ac a-'pertè ab omnibus discussa, omnes Deo et beato '*Æthelwaldo* per judicium reddiderunt *Burch*, et *Un-'deles*, et *Kateringes*. Judicaverunt etiam ut *Leoffius* 'Episcopo totum damnum suum supplereț, et * Mun-'dam suam redderet, de rapina vero Regis forisfactu-'ram emendaret, dato pretio genealogiæ suæ. Post 'hæc insta octavum diem convenerunt iterum ad '*Northamtune*, et congregata ibi tota Provincia, sive 'Vicecomitatu, coram cunctis iterum causam supradi-'ctam patefecerunt. Qua patefacta ac declarata, ut 'præjudicata erat apud *Londoniam*, judicaverunt et isti 'apud *Northamtune*. Quo facto omnis populus cum 'jurejurando in Christi Cruce reddiderunt Episcopo 'quæ sua erant, scilicet, *Burch*, et *Undeles*, et *Katerin-'ges*. By which President it is apparent, 1. That Parliamentary Councils in that age held Pleas, and gave judgements of Disseisins and Titles of Lands. 2. That they had Lawyers to assist them, and plead such cases before them. 3. That the Judgement given in the Great Council at *London*, was confirmed, recited, and executed in the *County-Court* held at

* Munda, *Saxonice* Pax *dicitur*: *sed et* Satisdatio, *ut hic, ni fallor, interpretatur.*

Propos. 4, 6,

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Northampton, and poſſeſſion of the Lands accordingly reſtored to the Biſhop.

King [i] *Ethelred* being incenſed againſt the Biſhop of *Rocheſter*, Anno 983. as ſome, or 986. as others compute it, beſieged the City of *Rocheſter* for a long ſpace; VVhereupon Archbiſhop *Dunſtan* commanded him to give over the ſiege, leſt he ſhould provoke St. *Andrew*, Patron of that City, againſt him. The King notwithſtanding continued his ſiege till he extorted one hundred pounds from the Biſhop. VVhereupon *Dunſtan* admiring at his covetouſneſs, ſent him this Meſſage. *Becauſe thou haſt preferred ſilver before God, Money before an Apoſtle, covetouſneſs before me, the evils which the Lord hath denounced ſhall violently come upon thee.* Upon which *Matthew Weſtminſter* makes this obſervation. Anno 986. *Rex Anglorum* Æthelredus *qui prohibente beato* Dunſtano *Centum libras ab Epiſcopo* Roffenſi *exiorſerat, pro pace breviſſima penſionem 16 millium librarum perſolvere compulſus eſt.* VVhich fell not out till the year 994. as himſelf and others record: *Malmesbury* referrs it to the Tax of 10 thouſand pounds, paid by him to the *Danes*. Anno 991. In this year 986. *Alfric* Duke of *Mercians*, ſon of Duke *Alfere* was baniſhed *England* **crudeliter**, cruelly, without juſt cauſe, as *Bromton* recites, which made him afterwards prove treacherous to the King, he being one of thoſe Engliſh, **quos nullis cauſis extantibus exhæredabat Rex**, *et affecto crimine*, **opibus emungebat**; which *Malmesbury* taxeth him for. His oppreſſion and injuſtice, being the chief cauſes of his miſcarriage and expulſion by the *Danes*.

Anno 988. The *Danes* invading *VVecedport*, thereupon *Goda* Earl of *Devonſhire*, *Strenwild*, a moſt valiant Knight, and many others in defence of their Native Country and Liberties, fought with them, and were ſlain by them. And Anno 891. *Brithnoth* the moſt valiant Duke of the *Eaſt Engliſh*, and his forces, fought

[i] *Matthew weſtminſt. An. 983, 986. VVigorn. and Sim. Dunelm. An. 986. Ingulphi Hiſt. p. 890. Will. Malmesb. de Geſtis Reg. l. 2. c. 10. Hoveden, Annal. pars prior, p. 427. Huntindon Hiſt. l. 5. p. 357. Chron. Jo. Bromton, col. 878. Henry de Knyghton de Eventibus Ang. l. 1. c. 2. col. 2515. Fox Acts and Monuments vol. 1. p. 207. Antiq. Eccleſ. Brit. p. 61. Godwins Catalogue of Biſhops p. 394. Speed p. 144. Propoſ. 2, 4.*

[k] *Mat. VVeſtm. VVigorn. Huntindon, Hoveden, Bromt. Speed, Holinſh. Fox, Grafton.*

An. 988, 991.

a set battle with the invading *Danes*, who wasted *Ipswich* and the parts adjoyning: In which battel an innumerable multitude were slain on both sides, and this valiant Duke with many thousands of the *English*, in defence of their Country against these Invaders. After which, by the Counsel of [*l*] *Syricius* Archbishop of *Canterbury*, Duke *Æthelward*, *Alfric*, and **other Nobles** (assembled no doubt in a Parliamentary Council, as *Malmesbury* his **Duces et Proceres si quando in Concilium venissent**, *pars hic, vers illud eligerent &c.* and *Henry de Knyghton* his **Proceres Regni, si quando ad Concilium congregati, &c.** import)

[*l*] *Gervasius Antiq. Eccles. Brit. and Godwin in the life of Spricius.*

Propos. 1.

'A Tribute of ten thousand pounds was given to the 'Danes, that they might desist from their frequent rapines, and slaughters of men, which they frequently 'exercised about the Sea-coasts, *pacemque firmam cum 'iis tenerent*, and might hold a firm peace with them. Some of our Historians stile this [*m*] **Infaustum Concilium**, *an unlucky Council*. *Eadmerus* (*n*) gives this verdict of it. 'Regis desidia circum circa innotuit, Et ideo extevorum cupiditas opes Anglorum 'quam mortes affectans, hac & illac, per mare, terram 'invadere: & primo propinquas mari villas & urbes, 'deinde remotiores, ac demum totam Provinciam 'miserabili depopulatione devastare. Quibus cum ille 'nimio pavore perculsus, non armis occurrere, sed data 'pecunia pacem ab eis petere non erubuisset, ipsi 'suscepto pretio in sua revertebantur, ut, numero suorum adaucto fortiores redirent, ac præmia iteratæ 'irruptionis multiplicata reciperent; Unde modo decem millia, modo sedecim millia, modo viginti 'quatuor millia, modo triginta millia librarum argenti consecuti sunt: omnia illis largiente præfato 'Rege *Edelredo*. **et gravi exactione totum Regnum 'opprimente.** (*o*) *William* of *Malmesbury* passeth this 'censure on it, and the unhappy consequence of it. 'Danis omnes portus infestantibus, & levitate piratica

[*m*] *Huntind. Hist. l.* 5. *p.* 357. *Chron. Ioban. Bromton, col.* 879.

[*n*] *Hist. Novorum l.* 1. *p.* 1.

Propos. 1, 5, 6, 9.

[*o*] *De Gestis Reg. Angl. l.* 2. *c.* 10. *p.* 62.

'ca ubique infestantibus, dum nesciretur, ubi eis oc-
'currere debent **decretum** à *Syriaco* Archiepiscopo.
'&c. ut repellerentur argento qui non poterunt fer-
'ro. Ita decem millia librarum soluta cupiditatem
'*Danorum* explevere. **Exemplum Infamiæ et Viris indignum, libertatem pecunia redimere, quam ab invicto animo nulla violentia possit excutere.** Et
'tunc quidem paulisper ab incursibus cessarunt, mox
'ubi vires otio resumpserunt, ad superiora reditum.
'**Tantus timor Anglos invaserat, ut nihil de resistendo cogitarent.** Si qui antiquæ gloriæ memores ob-
'viare, & signa colligere tentassent, hostium multi-
'tudine, & sociorum defectione destituebantur whereby they became Vassals and Tributaries to the insulting *Danes*. Cujus *Siricii* consilio in gestis Regum
'dixi *Ethelredum* Regem **animi libertatem** Danis
'pretio vendicasse. Ut eorum pacem argento redime-
'rent, quod ferro repellere posset, nisi corde caruer.
'Unde **Impositabilis Tributi pensio imposita Angliæ, fortunas provincialium ad solum usque destruxit.** (q) *Henry Huntindon*, and the (r) *Chronicle of Bromton* pass this verdict against, and deduce this memorable observation from this Tribute. 'Edelredi Regis, An-
'no 13. **Primo statuerunt Angli** (which intimates it to be decreed in a Parliamentary Council) **Concilio infausto Siricii** Archiepiscopi, **quod ipsi censum 'Dacis persolverent**, quatenus à rapinis & cæde
'cessarent, & dederunt eis decem mille libras. **Hoc 'autem malum usque in hodiernum diem durabit, et 'diu, nisi Dei Pietas subveniat, durabit: Regibus 'namque nostris modo persolvimus, ex consuetudine 'quod Dacis persolvebatur ex ineffabili terrore.** To which *Bromton*, (s) *Ranulphus Cestrensis*, and (t) *Henry de Knyghton* immediately subjoyn. 'Dacis Tribu-
'tum annuum solvunt. Primo anno 10 milia librarum,
'Secundo anno 16 millia librarum, Tertio anno 20
'millia librarum, Quarto anno 24 millia, Quinto

[p] *De Gestis Pontif. l. 1. p* 203.

[q] *Histor. l. 5. p* 357.

[r] *col.* 879.

Propositt. 1, 6, 9.

[s] *Polychr. l. 6. c.* 13.

[t] *De Eventibus Angliæ, l. 1. c.* 2.

'anno 40. millia librarum, **donec tandem pecunia de-**
'**ficiente iterum tenderent ad Rapinas.** Et tunc
'Northimbriam deprædantes, et Londoniam obsiden-
'te, **Coegerunt regem tributum dare.** [*u*] *Mat. Parker* Archbishop of *Canterbury*, thus censures this ill advice of his Predecessor; *Siricius pacem Christianis ab infidelibus Dacis* 10. *librarum millibus redemit*, **Ad ignominiam sane, peneque perniciem totius Regni.**

(*u*) *Antiqu. Eccles. Brit. p.* 64.

(*x*) *Acts and Mon. Vol.* 1. 207.

(*x*) Mr. *John Fox* informs us, *That King* Ethelred *being glad to grant the* Danes *great sums of money for peace*, **gave himself to polling of his Subjects, and disinheriting them of their possessions**; *and caused them to redeem the same again with great sums of money*; **For that he paid great Tributes to the Danes yearly**, *which was called* **Danegelt.** *Which Tribute so increased, that from the first Tribute of* 10000 *l. it was brought at Last in processe of* 5. *or* 6. *years, to* 40000 *l. The which yearly Tribute* (*until the coming of St.* Edward *and after*) **was levied of the people of the Land:** *Moreover, for lack of Justice, many Theeves, Rioters, and Bribers, were in the land, with much misery and mischief. To which sorrow moreover was joyned hunger and penury* (*besides a bloudy flux, feavers, mortality, murrain amongst cattel, &c.*) *amongst the Commons, insomuch that every one of them was constrained to pick and steal from others. So that what for the pillage of the* Danes, *and what by inward Theeves and Bribers, this Land was brought into great affliction: Albeit the greatest cause of this affliction* (*as it seemeth to me*) *is not so much to be imputed to the King, as to* **the dissention among the Lords themselves, who did not agree one with another; but when they assembled in Consultation together**, *either they did draw divers wayes, or if any thing were agreed upon any matter of peace between the parties, soon it was broken again; or else if any good thing were devised for the prejudice of the Enemy, even the* Danes *were warned thereof by some of the same*

Propos. I. 4.

(*y*) Page 415, 416. *Council.* (*y*) *John Speed*, in his *Hist. of Great Britain* relates,

lates, That King Ethelred could not redreſs the evils occaſioned by the proſperous Danes ſucceſſes, who lay in the land like mute Graſhoppers, his ſtrengths being ſmall, and his Subjects affections leſs. Therefore **calling to counſell the Statesmen and Peers, demanded their Advice, what was beſt to be done.** Some few of theſe profeſſed the King their aſſiſtance, but more of them perſwaded to a compoſition, whereof Siricius Archbiſhop of Canterbury was chief; and in fine, ten thouſand pounds paid to the Danes for their departure. This golden mine once entred, was more eagerly digged into by thoſe ſtill-thirſting Danes, who finding the branch ſo beneficial at firſt, hoped the vein in following would prove farr more beneficial; and therefore, regardleſs of promiſe, the next year prepared themſelves again for England, and with a great Fleet diſpatched to Sea. The News whereof ſtruck ſuch terror into the Engliſh hearts, that deſpairing of hope, **they accounted themſelves the Bondſlaves of Miſery,** and were enforced to compound a peace with them, with the payment of 16000 pounds, which they at laſt mounted to 40000 (or 48000) pounds, **till it emptied the Land of all her coin, the Kingdom of her Glory, the Nobility of their Courage, the Commons of their Content, and the Soveraign of his wonted Reſpect and Obſervation.** (A pattern of our age and times.) (z) Samuel Daniel gives us this Cenſure of this firſt unworthy heavy Tax: Ethelred in the end was fain, ſeeing he could not prevail with the ſword, to aſſail them with money, and bought a peace for 10000 pounds, which God wot, proved after a very dear penny-worth to the Commonwealth: Shewing the ſeller thereof, how much was in his power, and the buyer, at how bad a rate, his neceſſity was to be ſerved, and yet not ſure of his bargain, longer than the Contractor would. Who having found the benefit of this market, raiſed the price therof almoſt every year. And yet had not Ethelred what he paid for, the land in one part or other being never free from ſpoil and invaſion, but rather, were more oppreſſed both by the

Propoſit. 1, 6, 9.

(z) A Collection of the Hiſtory of England. London 1634. p. 16.

the Dane, and **by this Taxation, which was the first we find in our Annals laid upon the Kingdom, and with heavy grievance raised in a poor distressed State, continuing many Ages after the occasion was extinct; And in the end** (*though not into her name*) **became the usual Supplement in the Dangers of the Kingdom, and the Occasions of Princes.** *And hereby* Ethelred *enlarged the means and desires of the Enemy, so that at length came* Swaine *King of* Denmark, *and* Anlafe *King of* Norwey *in person, as if likewise to receive him for committing outrage, and were both returned with great summs. And many years it was not ere* Swaine *returned again to raise new summs by new afflictions, and tormenting here this poor turmoiled people more than ever, receives a fee for bloudshed, to the summ of* 48000 *l.* **Granted in the General Assembly of the States at London**; *and a Peace, or rather paction of servitude concluded.*

Propoposition 3, 6, 9.

From these passages of our Historians it is most evident. 1. That this Tax of ten thousand pounds to the *Danes*, was the very first we find imposed on the English Nation, An. Domini 991, being never subject to any publike Civil Tax til then, for ought appears by History. 2. That this Tax was then imposed, and after reimposed, augmented on the Nation, only by common advice, grant, and consent of the King, Prelates, and Nobles assembled in a publike and Parliamentary Council. 3. That the original ground of granting it was base degenerous cowardise, or unmanly fear, and sluggishness, both in the King, Nobles, and People, and that by the very unlucky, imprudent, ill Council and advice, of an Archprelate, *Siricius* Archbishop of *Canterbury* being the principle adviser of it. 4ly. That it was originally paid, not to a lawfull Native Soveraign king, for defence of the Nation, but to a forein invading prevailing, victorious *Danish* Enemy, to purchase peace, and be quit of future troubles and Invasions. 5ly, That when this was first imposed, it was with a belief

belief and reſolution never to reiterate or draw it again into cuſtom or preſident in ſucceeding ages: and that only to ſatisfie a covetous invading Enemy for the preſent, without any thoughts that it would but ſtrengthen or encourage their Enemies to new invaſions and Tributes of this Nature, doubled and trebled on the Nation afterwards. Yet loe the contrary ſad effects of this ill preſident & advice. 1. It is within few years after, ſeveral times drawn into Uſe and Cuſtom again. 2. It is every time increaſed, augmented more than other, till it amounted to 4 times as much as it was at firſt. 3. It did but impoveriſh, weaken the Engliſh themſelves, and much ſtrengthen, encourage their Daniſh Enemies, and keep them ſtill under their Vaſſalage. Whereas ſo much mony or leſs raiſed and ſpent for their own defence againſt the *Danes*, would probably have expulſed and beaten them home to their own Country with loſſe, and ſo have prevented their future invaſion. 4ly After the *Danes* were quite expelled, and the occaſion of this tax quite extinct, yet it then became a uſual conſtant ſuppliment to our Kings for ſundry ages after, upon all occaſions, and was the only ground-work, pattern, of all the heavy publike Shipmony, Taxes, Aids, Impoſitions, Payments, under which the people have ſuffered in all ſucceeding ages, till this preſent. It is very dangerous therefore for Parliaments, or Stateſmen, upon any extraordinary preſſing Neceſſity, to lay any new Taxes, Tributes, or Impoſts on the people, and moſt perillous for the people voluntarily to ſubmit unto their payment; for being but once or twice granted, impoſed, paid, and made a Preſident, they are hardly ever aboliſhed or conjured down again, but kept ſtill on foot upon ſome pretext or other; yea oft doubled, trebled, and quadrupled by degrees, to the peoples grand oppreſſion and undoing, as we may ſee by this old Preſident of *Danegelt*; and the late lad Preſidents of our new impoſed

posed Excises, Imposts, *Monethly Contributions*, raised from 20 to 30, 40, 50, 60, 100, and 120 thousand pounds, a month, and the Excise from thousands to Millions; and so continued for sundry years, without hope of end, or ease: the only blessed liberty which we have hitherto purchased with all our Prayers, Tears, Fasts, Counsels, Treasures, wars and whole Oceans of Christian blood. I shall therfore desire our late and present Tax-Masters, Excisers, if they be not now past all shame, sadly to consider, how much more burthensome and injurious they have been & are now to their native Christian English Brethren, than the Barbarous Pagan, forein invading *Danes* were then to their predecessors; in that they by their own authority, without any lawfull grant, or Act by a free Parliament, impose on their Brethrens exhausted purses and estates, no less than 60 or 120 thousand pounds every Moneth, besides Excises, Imposts, Customes, amounting to much more; when as the barbarous, forein *Danes* exacted of them, only by their own common consent in free Parliamentary Councils, only ten thousand pounds in one year at first, and then 16000, 24000, 30000, 40000, or 48000 l. at the utmost for several whole years Tribute, without any Excise, Imposts, or other Customs. Which meditation me thinks should now induce them to mitigate, release, cease, our long continued uncessant Taxes, Excises, Imposts, or at least to reduce them to the *Danes* highest annual proportion, of 48000 thousand pounds, lest the whole Nation and Posterity repute them more oppressive, barbarous, tyrannical to their Christian Countrymen now, than the worst of the forein Pagan *Danish* Invaders were heretofore, and greater present Enemies to their Native Country, than the *Danes* then were to our Progenitors.

Anno 991. The self same year (*a*) there being some difference be-

[*a*] *William Malmsbur. De Gestis Regum l. 2. c. 10. p. 64. Spelman. Concil. p. 503.*

between *King Ethelred* and *Richard* Marqueſs of *Normandy*, he thereupon ſlew and pillaged all the Engliſh paſſing through his Country, and affronted King *Ethelred* with frequent injuries. Pope *John* the 15. hereupon ſent *Leo* his Legate, with exhortatory Letters to make peace between them: who coming with them to King *Ethelred* on *Chriſtmaſs day*, Anno 991. the King, upon receit of the *Popes* Letters **Accerſitis cunctis ſui Regni fidelibus, utriuſque ordinis ſapientioribus,** *Aſſembling all the Wiſeſt men of his Realm of both Orders*, for the love and fear of Almighty God, and St. *Peter* the Prince of the Apoſtles, *granted and eſtabiſhed a moſt firm peace with all his Sons and Daughters, preſent*, and to come, and with all his Lieges, without guile. In purſuance whereof, the King ſent *Edelſinus* Biſhop of *Sherburn*, with two other perſons of quality into *Normandy* to the Marqueſs: Who, upon receit of the Popes Admonitions, and hearing of the kings Decree, with a willing mind, *confirmed the ſaid Peace* with his Sons and Daughters preſent and to come, and with all his Subjects, upon this reaſonable condition, *That if any of them, or they themſelves ſhould perpetrate any unjuſt thing againſt the other, it ſhould be expiated with condign reparation.* Which Peace that it might remain perpetually firm, was ratified by the Oaths of the Commiſſioners of both parts, at *Rhoan*, in *March* following. Here we have a Peace adviſed, ratified by the direction of a Parliamentary Great Council: recorded at large by *Malmsbury*: The laſt clauſe whereof was this, *Et de hominibus Regis, vel de inimicis ſuis, nullum* Richardus *recipiat, nec Rex de ſuis, ſine Sigillo eorum.* Propoſit. 6. 9.

King (*b*) *Ethelred* in the year 992. hearing that the *Danes* intended a new invaſion of *England*, and that they had ſent a great Fleet to Sea, contrary to their former Agreement the year before, *aſſembled a Council of his* Anno 992.

(*b*) *Florentius Wigornienſis, Mat. weſtm. Simeon Dunelmenſis, Hoveden, Huntindon, Hiſt. l. 5. p. 357. Chron. Johan. Bromton. col. 879. 880. Speed, Holinſhed, Graſton, Fox.*

Nobles to consult how to resist them. What the result of their consultation was. *Florence* of *Worcester* thus record: **Consilio justuque Regis Anglorum** Etheiredi, **Procerumque suorum**, *de tota Anglia robustiores*, Londoniæ *congregata sunt Naves.* By the Counsel and command of *Ethelbert* king of *England*, and of his Nobles, all the strongest Ships were assembled together at *London*, out of all *England*; which the king furnishing with choice Souldiers, made Duke *Alfric*, Duke *Thorold*; *Alstan* and *Æscwin* (two Bishops) Admirals over them; *commanding them, if by any means they could, to take the Danish Army and Fleet by invironing them in some part.* But Duke *Alfric* (formerly banished, forgiven, and now made chief Admiral) turning Traytor, both to his king and Country, first sends a secret Messenger to the *Danes*, to acquaint them with the designs against them, intreating them to prevent the ambushes prepared to surprize them, whereby they escaped the hands of the *English*. After which, when the *English* and *Danes* were ready to encounter each other in a Sea-fight, *Alfric* fled secretly to the *Danish Fleet* the night before, and by reason of the instant danger, fled away shamefully with them. The kings Navy pursuing them, took and pillaged one of the *Danish* Ships, slaying all the men therein. But the *London* ships meeting with the other *Danish Pirates*, as they were flying, fought with them, slew many thousands of the *Danes*; and took Duke *Alfric* his Ship, with the Souldiers and Armes, himself hardly escaping, as *Wigorniensis* and *Mathew Westminster* relate. But *Huntind.* & *Bromton*, write, that the *Danes* recruiting their Navy, met and fought with the kings Navy, slew many of the *Londoners*, triumphantly took whole armed Ships, and Duke *Alfric* who was in them; whom the king should not have trusted, according to the antient saying: *Quem semel gravitèr læseris, non facile tibi fidelem credideris.* For this Treason of *Alfric*, the king

Propsit. 6,9.

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caused the Eyes of his Son Algar to be put out, *Unde odium & infamia ejus crudelitatis adaucta est*; as *Huntindon* and others observe.

The next year 993. the [c] *Danish Fleet* entring *Humber*, wasted the Country of *Northumberland* and *Lindesey*, burning the Villages, slaying the people, and pillaging their goods. Whereupon great multitudes of the people of that Country, assembling together, resolved and hastned to fight with them: but when they were ready to give them battel, *Frena*, *Frithgist* and *Godwin* their Captains, being of *Danish* Progeny, proving treacherous to their followers, perswaded them to fly, and fled first themselves. Notwithstanding the Country (as *Malmesbury*, *Speed*, and others write) being unable to digest their intollerable insolence and plunders, fell upon the *Danes*, slew many of them, and chased away the rest to defend their Lives, Liberties, and Estates.

Anno 993. [c] *Vvigorniensis, Bromt. Huntindon, Hoveden, Mat. Vvestminst. Malmesbury Simeon Dunelm. Radulphus Cestrensis, Fabian, Holinshed, Speed,*

Anno 994. *Swane* king of *Denmark*, and *Anlafe* king of *Norwey* with 94 Ships sailed up to *London*, besieged and fiercely assaulted the City, thinking to take it; but the Citizens so manfully defended it, that they repulsed the *Danes* thence with great loss. Who thereupon turning their fury upon the Counties of *Essex*, *Kent*, *Sussex*, and *Southampton*, so greivously wasted them with fire and sword, burning the Villages, and slaying the Inhabitants, that *King Ethelred*, **Concilio Procerum suorum**, by the Council of his Nobles (assembled together for that end, as *Wigorniensis Matthew Westminster*, *Hoveden*, *Simeon Dunelmensis* and others write) sent Embassadours to them, promising to give them **Tribute and Wages, and Money**, upon this condition, *that they should desist from their cruelty*. Who thereupon condescending to the kings request, returned to their Ships, and drawing all their Army together unto *Southampton*, wintered there: To

Anno 994. [d] *Florent. Vvigorn. Sim. Dunelm. Mat. westm.. Anno 994. William Malmes, de Gest. Reg. l. 2. c. 10. Huntindon Hist. l. 5. p. 358. Hoveden, Annal. pars prior, p. 428. Chron. Joh. Bromt. col. 880, Polych. l. 6. c. 13. Henry de Knyghton de Event. Angl. l. 1. c. 2. Fabian, Grafton, Holinshed, Stow, Speed, Spelm, Glossarium, Tit. Danegelt, Radulph. de Diceto Abbrevi. Chron. 461.*

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Propositi. 1, 6, 9. whom **a Tribute of fifteen thousand pounds, was given and paid out of all England**, *that they should cease from their rapines and slaughters of innocent persons.* After this agreement King *Anlaf* repaired to *Andover*, to King *Ethelred*, where he received baptism, *Ethelred* being his Godfather: and bestowing great gifts upon him; Hereupon *Anlaf* entred into a League with him, promising, *to return into his own Country, and never after to return into* England *with an Army*; Which promise he faithfully observed. The Articles of the Agreement between King *Ethelred* and him, are at large recorded in the Chronicle of *Bromton*, Col. 899, 900. being made by advice of all his Wisemen assembled in a Parliamentary Council, as this Title to them intimates. *Hæc sunt verba Pacis et Prolocutionis, quas* Ethelredus *Rex* **et omnes Sapientes ejus** *cum exercitu firmaverunt, qui cum* Anlano, *et* Justino, *et* Gudermundo *Stegiari filio venit.* The Articles of the Peace between them are X. in the Saxon, but XI. in the Latin Copy.

An. 997, 998, 999. (e) *Wigornienſis, Mat. VVeſt. Huntindon, Rad. de Diceto, Simeon Dunelmenſis, Polychron. Bromton, Hen. Knyghton, Malmsbury, Hoveden, Fabian, Holinſhed, Speed, Grafton, and others.*

The perfidious (e) *Danes* violating their former agreement, Anno 997. came with a great Fleet and Army into the mouth of *Severn*, wasted and laid waste and desolate *Northwales*, and most of the West and South parts of *England*, no man resisting them, gaining an extraordinary great booty and Wintring about *Taveſtock*. The next year 998. They entring the river of *Frome*, wasted and spoiled *Dorſetſhire*, the *Iſle of Wight*, and *Suſſex* over and over, living upon their spoils: whereupon the English many times assembled an Army to resist and expell them; but so often as they were about to give them battel; *Angli aut inſidiis, aut aliquo infortunio impediti, terga verterunt, et hoſtibus victoriam dederunt*; most of the Nobles of *England* secretly favouring the *Danes*, and not loving *Ethelred*, *quia* Alfrida *mater ſua pro ipſo liberius in regno ſubſtituendo, ſanctum* Edwardum *fratrem ſuum doloſe extinxerat*, as

Bromton

Bromton and others attest. Anno 999. The Danish fleet entring the river of *Medway*, besieged *Rochester*, and wasted *Kent*. The *Kentish* men uniting their forces fought a sharp battel with them, wherein many were slain on both sides, but the *Danes* winning the field, horsed their foot on the horses they gained, and miserably wasted all the West part of *Kent*. Which King *Ethelred* being informed of, **suorum Primatum Consilio et classem et pedestrem congregavit exercitum**; by the advice of his Nobles, he assembled a Navy and foot Army to encounter them. But whiles the ships were preparing, the Captains of the Army delaying from day to day their begun levyes and undertakings, **Grievously vexed the People.** In conclusion, neither the Navy nor Army did any thing at all for the peoples benefit or defence, *praeter populi laborem, pecuniae peditionem, hostium incitationem*, as *Florentius Wigornienſis*, *Roger Hoveden*, and others observe. *Propoſit.* 1, 6, 9.

Hereupon (*f*) King *Ethelred*, Anno 1000. for the better defence of his Realm, resolved to take to wife *Emma* daughter of *Richard* Earl of *Normandy*, who was then most valiant, and formidable to the whole Realm of *France*: For he saw himself and his Subjects very much weakned, and did not a little fear their future overthrow. *Hoc autem Dei nutu factum esse constat, ut veniret contra improbos malum. Genti enim* Anglorum *quam sceleribus suis exigentibus disterminare proposuerat, sicut et ipsi* Brittones *peccatis accusantibus humiliaverant, Dominus omnipotens duplicem contritionem proposuit, et quasi militares insidias adhibuit. Scilicet, ut hinc* Dacorum *persecutione saviente, illinc* Normannorum *conjunctione accrescente, si ab* Dacorum *manifesta fulminatione evaderent,* Normannorum *improvisam cum fortitudine cautelam non evaderent. Quod in sequentibus apparuit, cum ex hac conjunctione Regis* Anglorum, *et filiae* Ducis Normannorum, Angliam, JUSTE, *secundum jus Gentium* *Anno* 1000. (*f*) *Hen. Huntindon. Hiſtor. l. 6. p. 359. Chron. Johan. Bromton Col.* 883, 884, *Polychronicon, l.* 5. *c.* 60.

tium Normanni *et calumniati sunt, et adepti sum. Prædixi; etiam eis quidam vir Dei, quod ex scelerum suorum immanitate, non solum* **quia semper cædi et proditioni studuebant,** *verum etiam quia semper ebrietati et negligentiæ domus Domini dediti erant, eis insperatum à* Francia *adventurum Dominium; quod et eorum excellentiam in æternum deprimeret, et honorem sine termino restitutionis eventilaret. Prædixit etiam, quod non ea gens solum, verum et* Scottorum, *quos vilissimos habebant eis ad æternam confusionem dominaretur. Prædixit nihilominus varium adeò seculum creandum, ut varietas quæ in mentibus hominum latebat, et in actibus patebat, multimoda variatione vestium et indumentorum designaretur. Hac igitur providentia cum Legatariis ad* Ducem Normannorum *missis, Rex* Anglorum *suæ petitionis concessionem obtinuisset, Statuto tempore tanto digno ministerio ad Dominam suam recipiendam et adducendam Proceres* Anglorum *mittuntur in* Normanniam, *quæ longo et digno regibus apparatu dirigentur in* Angliam. Thus *Henry* Archdeacon of *Huntindon, Radulphus Cistrensis, Bromton*, and others out of them, vrite of this *Norman* match, as the groundwork of translating the Goverment in succeeding times from the *Saxons* to the *Normans*, for the *Saxons* sinnes forenamed.

[g] *Mat. westm. Hoveden, wigornienſis, Sim. Dunelmenſis, Holinſhed, Speed, and others. Anno* 1000.

This same year, the *Danish* Fleet sailing into *Normandy* and pillaging it, King *Ethelred* hearing of it, marched with a great Army into *Cumberland* and the Northern parts, which had revolted to the *Danes*, and where their greatest Colony was; where he vanquished the *Danes* in a great battel, and wasted, pillaged most of all the Country. Which done, he commanded his Navy to sail round about the North parts of *Wales*, and to meet him at an appointed place, which by reason of cross winds they could not doe: yet they wasted and took the Isle of *Man*; which success somewhat raised and encouraged the dejected spirits of the English, and encreased the Kings reputation with them.

In

In the years 1001. (*h*) The *Duniſh* Fleet returning from *Normandy*, entred the river of *Ex*, and beſieged *Exceter*: which the Citizens manfully defending, repulſed them with great loſs from their walls. Wherewith they being extremely enraged, marched through all *Devonſhire*, burning the villages, waſting the fields, and ſlaying the people, without diſtinction of age or ſex, after their uſual manner. Whereupon the inhabitants of *Devon*, *Somerſet*, and *Dorſetſhires*, uniting their forces in a Body in a Place called *Penho*, gave them battel: but being overpowred by the multitude of the *Danes*, who farr exceeded them both in number and military skill, they were forced to flie, and many of them ſlain. The *Danes* thereupon getting their horſes, harrowed *Devonſhire* farr worſe than before, and returned with a great booty to their ſhips: Whence ſteering their conrſe to the Iſle of *Wight*, they preyed ſometimes upon it, ſometimes upon *Hampſhire*, other times upon *Dorſetſhire*, no man reſiſting them. Deſtroying the men with the ſword, and the Villages and Towns with fire, in ſuch ſort, *ut cum illis nec claſſica manus navali, nec pedeſtris exercitus certare audeat prælio terreſtri*: for which cauſe the King and People were overwhelmed with unſpeakable grief and ſadneſs. In this ſad perplexity, King *Ethelred*, Anno 1002. **Habito conſilio cum regni ſui Primatibus** (as *Florentius Wigornienſis*, *Simeon Dunelmenſis*, *Radulphus de Dicete*, *Roger Hoveden*, and others expreſs it; or **Conſilio Primatum ſuorum**, as *Mat. Weſtminſter* and his followers relate it), By the Counſel of the Nobles of his realm, (aſſembled together for this purpoſe at *London*) reputed it beneficial for him and *his people to make an Agreement with the* Danes, *and to give them a Stipend, and* **Ratifying Tribute**, *that ſo they might ceaſe from their miſchiefs.* For which end Duke *Leofſi* was ſent to the *Danes*, who coming to them, importuned them, **that they would accept of a Stipend and Tribute.** They *gladly em-*

[h] *Wigornienſ. Huntindon, Hoved. Ethelwerdus, Ingulphus, Malmsb. Radulphus de Diceto, Radulphus Ciſtrenſis, Simeon Dunelm. Bromton, Mat. Weſtmin. Henr. de Knyghton, Mat. Parker, Fox, Fabian, Holinſhed, Grafton, Speed, Daniel.*

Anno. 1001. 1002.

Propoſit. 1, 6, 8, 9.

bracing his Embassy, condescended to his request, and determined how much **Tribute** *should be paid them for to keep the peace.* Whereupon soon after **A Tribute** of 24000 *pounds was paid them,* **pro bono Pacis,** for the good of Peace.

In this Assembly and *Council,* (as I conjecture) [i] King *Ethelred* informed his COUNSELLERS, who instructed him both in divine and humane things, with the sloathfulness, negligence, and vicious lives of the Secular Priests throughout *England,* and by their advice thought meet to thrust them out, and put Monks in their places, to pour forth prayers and praises to God for him and his people in a due manner. Whereupon he confirmed by his Charter, the ejection of the Secular Priests out of *Christs-Church* in *Canterbury,* and the introduction of Monks in their places; and ratified all the lands and privileges formerly granted them; exempting the Monastery and Lands thereof from all Secular services, except *Expeditione, Pontium operatione, et Arcium reparatione.* Beseeching and conjuring all his lawfull Successors, Kings, Bishops, Earls, and people, that they should not be, **Ecclesiæ Christi Prædones,** *sed sitis Patrimonii Christi defensores seduli, ut vita et gaudio æternis cum omnibus Dei sanctis in æternum fruamini.* Which Charter was ratified by the Subscriptions of the *King, Archbishop, Bishops,* * *Abbots,* and of several *Ældermen, Nobles,* and *Officers,* and the sign of the Cross. This year * Duke *Leoffi* slaying *Esric* a Nobleman, the Kings chief *Provost,* was judicially banished the Realm by the King for this offence.

After this Peace made with the *Danes,* Anno 1002. *Emma* ariving in *England,* received both the Diadem and name of a Queen; whereupon King *Ethelred* puffed up with pride, seeing he could not drive out the *Danes* by force of arms, contrived how to murder and destroy

(i) *Chron. VVil. Thorn, tol. 1780 Spelmanni concil. p. 504. to 510.*

Proposit. 6, 10.

Proposition 2.

* *wigorniensis, and others.*

Anno 1002.

(k) *Huntindon, Hoveden, Malmsb. Mat. VVestm. Radulphus de Dicetis, Simeon Dunelm. VVigorn. Bromton, Hen. de Knyghton, Foe Acts & Monuments, Vol. 1. p. 207. Polychron. Fabian. Holinshed. Grafton. Speed. Daniel.*

deſtroy them all in one day by Treachery at unawares, either by the ſword or by fire; *becauſe they endeavoured to deprive him and his Nobles both of their Lives and the Realm, and to ſubject all England to their own Dominion:* The occaſion, time, and manner of whoſe ſudden univerſal Maſſacre is thus related by *Mat. Weſtminſter*, An. 1012. (though acted An. 1002. as all accord) and by Mr. *Fox* and others. *Huna* General of King *Ethelreds* Militia, a valiant warlike man, who had taken upon him the managing of the affairs of the Realm under the King, obſerving the inſolency of the *Danes*, who now after the peace made with them, did ſo proudly Lord it through all *England*, that they preſumed to raviſh the wives and daughters of Noblemen, and every where to expoſe them to ſcorn; by ſtrength cauſed the Engliſh husbandmen to ſoyl and ſow their land, and doe all vile labor belonging to the Houſe, whiles they would ſit idely at home, holding their wives, daughters, and ſervants at their pleaſure; and when the husbandmen came home, they ſhould ſcarcely have of their own, as his ſervants had: So that the *Dane* had all at his will and fill, faring of the beſt, when the owner ſcarcely had his fill of the worſt. Thus the common people being of them oppreſſed, were in ſuch fear and dread, that not only they were conſtrained to ſuffer them in their Doings, but alſo glad to pleaſe them, and called every one of them in the Houſe where they had rule, LORD DANE, &c. Hereupon *Huna* goeth to the King much perplexed, and makes a lamentable complaint to him concerning theſe things. Upon which the King being not a little moved, by the Counſel of the ſame *Huna*, ſent Letters (or Commiſſions) unto all the coaſts of the Realm, commanding all and every of the Nation, that on one day after, to wit, on the Feaſt of St. *Brice* the Biſhop, all the *Danes* throughout *England* ſhould be put to death by a ſecret Maſſacre, that ſo the whole Nation of the *Engliſh* might

all jointly and at one time **be freed from the Danish Oppression.** And so the Danes, who by a firm covenant, sworn unto by both sides a little before, ought to have dwelt peaceably with the English, were too opprobriously slain, and the women with their children being dashed against the posts of the houses, miserably powred out their souls. When therefore the sentence of this decree was executed at the City of *London* without mercy, many of the *Danes* fled to a certain Church in the City, where all of them were slain without pity, standing by the very Altars themselves. Moreover, that which aggravated the rage of this persecution, was the death of *Guimild*, Sister of King *Swain*, slain in this manner in *England*: she was lawfully maried to Count *Palingers*, a Noble man of great power, who going into *England* with her husband, they both there received the faith of Christ and Sacrament of baptism: this most prudent Virago being the mediatrix of the peace between the *English* and *Danes*, gave her self with her husband and only son, as Hostages to King *Ethelred* for the security of the peace, she being delivered by the King to that most wicked Duke *Edric* to keep, that Traytor within few days after commanded her husband, with her son, to be slain before her face with four spears, and last of all commanded her to be beheaded. She underwent death with a magnanimous minde, without fear or change of countenance; but yet confidently pronounced as she was dying, That the shedding of her bloud would bring great detriment to *England*.

Proposit. 2.

(*l*) *Historiarum, l. 6. p. 360.*

(*l*) *Henry Huntindon* thus relates the story of this Massacre. In the year 1002. *Emma* the Jewel of the *Normans* came into *England*, and received both the Diadem and name of a Queen; with which match King *Ethelred* being puffed up with pride, bringing forth perfidiousness, caused all the *Danes* who were with peace in *England*, to be slain by clandestine Treason on one

one and the ſame day, to wit on the feaſt of St. *Brice*, concerning which wickedneſs we have heard, in our infancy ſome honeſt old men ſay; that the ſaid King ſent ſecret Letters into every City, according to which the Engliſh on the ſame day and hour deſtroyed all the *Danes*, either cutting off their heads, without giving them warning, with ſwords, or taking and burning them ſuddenly together with fire. *Ubi fuit videre miſeriam, dum quiſque chariſſimos hoſpites, quos etiam arctiſſima neceſſitudo dulciores effecerat, cogeretur prodere, et amplexus gladio deturbare*, writes (*m*) *Malmsbury*. *Propoſit.* 2.

(*m*) *De Geſt. Regum, l.* 2. *c.* 10. *p.* 64.

The News of this bloudy Maſſacre of the *Danes*, being brought into *Denmark* to King *Swain* by ſome Youths of the *Daniſh* Nation who eſcaped and fled out of *England* in a ſhip, moved him to tears, (*n*) **Ac catiſque cunctis Regni Principibus**, Who *calling all the Princes of his Realm together, and relating the whole ſeries of what was acted to them; he diligently enquired of them, what they would adviſe him to do? Who all crying out together, as with one mouth*, DECREED, *That the bloud of their Neighbours and Friends was to be revenged.* Where upon *Swain*, a cruel man, prone to ſhed bloud, animated to revenge, by his Meſſengers and Letters commanded all the Warriers of his Kingdom, and charged all the ſouldiers in forein Regions, greedy of gain, to aſſiſt him in this expedition againſt the Engliſh, which they cheerfully did, he having now a fairer ſhew to do foully than ever, wrong having now made him a right of invaſion, who had none before.

(*n*) *Mat weſtmin. An.* 1012, *p.* 391, 392.

Anno 1003. King *Swain* ariving with a great Navy and Army in *England*, by the negligence and treachery of one *Hugh* a *Norman*, whom Queen *Emma* had made Earl of *Devonſhire*, took and ſpoyled the City of *Exeter*, raſed the wall thereof to the ground, and burnt the City to aſhes, returning with a great prey to his ſhips, leaving

Anno 1003.

[*o*] *Malmsbury, Huntindon, Hoveden, Virgorienſis, Simeon Dunelmenſis, Radulphus de Diceto, Bromton, Henry de Knyghton, Polychronicon, Ingulphus, Matweſtm, Fabian, Fox, Holinſhed, Grafton, Speed, Daniel*

leaving nothing behind them but the ashes. After which wasting the Province of *Wiltshire*: a strong Army congregated out of *Hamshire* and *Wiltshire*, went with a resolution manfully and constantly to fight with the Enemy; but when both Armies were in view of each other, ready to joyn battel, Earl *Edric* their General (a constant Traytor to his Country, and secret friend to the *Danes*) feigned himself to be very sick, and began to vomit, so that he could not possibly fight. Whereupon the Army seeing his slothfulness and fearfullness, departed most sorrowfull from their Enemies, without fighting, being disheartned by the Cowardise of their Captain: Which *Swane* perceiving, he marched to *Wilton* and *Sarisbery*, which he took, pillaged, and burnt to the ground, returning with the spoil to his Ships in triumph.

Anno 1004. (*p*) *Vigorn. Hoveden, Huntind. Hist. l. 6. Speed, & others.*

The next year *Swane* (to whom God had designed the kingdom of *England*, as some old (*p*) Historians write) sailing with his Fleet to *Norwich*, pillaged and burnt it to the ground. Whereupon *Ulfketel*, Duke of *East-England*, a man of great valour, seeing himself surprized, and wanting time to raise an Army to resist the *Danes*,

Proposit. 6, 9. **cum Majoribus East-Angliæ habito Consilio**, taking Counsel with the Great men of East-*England*, made peace with *Swane*; which he treacherously breaking within three weeks after, suddenly issuing out of his ships, surprized, pillaged, and burnt *Thetford* to the ground; and covering the Country like Locusts, spoyled all things, and slaughtered the Country-men without resistance. Which Duke *Ulfketel* being informed of, commanded some of his Country-men to break his ships in pieces, in his absence from them, which they not dared, or neglected to do, and he in the mean time raising an Army with as much speed as he could, boldly marched against the Enemy, returning with great booties to their Ships; where after a long and sharp incounter on both sides, the English being over-powered

ered by the multitude of the *Danes*, were totally routed, and all the Nobles of *East-England* there slain in their Countries defence, who fought so valiantly, that the *Danes* confessed they had never an harder or sharper battel in *England* than this. The great loss the *Danes* sustained in it, though they got the field, and an extraordinary famine in *England* the year following, greater than any in the memory of man, caused *Swane* to return into *Denmark* to refresh and recruit his Army.

King *Ethelred* quit of these Enemies, Anno 1006, deprived *Wulfgate* the Son of *Leonne*, whom he had loved more than all men, of his possessions and all his honours, **propter injusta judicia**, for his unjust judgements and proud works; and likewise commanded the eyes of the two Sons of that Arch-Traitor *Edric Streona* to be put out at *Cocham*, where he kept his Court, because *Edric* had treacherously inticed a bloody Butcher, *Godwin Porthound* (whom he corrupted with great gifts) to murder the Noble Duke *Althelin* at *Scoborby-rig*, as he was hunting, whom *Edric* purposely invited to a Feast, that he might thus treacherously murder him. While these things were acting, in the month of *July*, the *Danes* returning with an innumerable Navy into *England*, landing at (x) *Sandwich*, consumed all things with fire and sword, taking great booties, sometimes in *Sussex*, sometimes in *Kent*: Whereupon King *Ethelred* gathered a great Army out of *Mercia* and the West-parts of *England*, resolving valiantly to fight with the *Danes*; who declining any open fight, and returning to their Ships, landed sometimes in one place, sometimes in another, and so pillaging the Country, returned with the booty to the Ships before the English Army could encounter them, which they vexed all the Autumn in marching after them from place to place to no purpose: The English Army returning home when Winter began to approach, the *Danes*

Anno 1006. (u) *Florentius wigornienſis*, *Mat. weſtm.* *Propoſ.* 2, 6. (x) *Huntind. Hoveden, Malmesbury, Sim. Dunelmenſis, Wigorn. Mat. Weſtm. Ingulphus, Bromton, Radulph. de Diceto, Knyghton, Polych. Fabian, Holinſhed, Graſton, Fox, Speed, Daniel.*

Danes with an extraordinary booty sayled to the *Isle of Wight*, where they continued till the Feast of Christs Nativity, which Feast they turned into sorrow. For then they marching into *Hampshire* and *Berkeshire*, pillaged, and burnt down *Reading*, *Wallingford*, *Colesey*, *Essington*, and very many Villages, *Quocunque enim peragebant, quæ parata erant hilariter comedentes, cum discederent in retributionem procurationis reddebant hospiti cædem, hospitio flammam*, as *Huntindon*, *Bromton*, and others story. As they were returning another way to their ships with their booty, they found the Inhabitants ready to give them battel at *Kenet*; whom the *Danes* presently fighting with, and routing, returned with triumph to their ships, enriched with the new spoils of the routed *English*.

Anno 1007. King *Ethelred* lying all this time in *Shropshire*, unable to resist the *Danes*, *Anno* 1007. **cum Consilio Primatum suorum** (as *Florentius Wigorniensis*, *Simeon Dunelmensis*, *Polychronicon*, and others express it) by the Counsel of his Nobles, sent Messengers to the *Danes*, commanding them to tell them, **quod sumptus et Tributum illis dare vellent**, that they would give them Costs and Tribute, upon this Condition; *That they should desist from rapines, and hold a firm peace with them*; to which request they consented, and from that time Costs were given them, and **a Tribute paid them of thirty six thousand pounds** out of all *England*, (y) *Henry Huntindon*, & *Bromton*, thus relate the business. **Rex et Senatus Anglorum**, *dubii quid agerent, quid omitterent*, **communi deliberatione**, *gravem conventionē cum exercitu fecerunt, & ad pacis observationē* 36000 *mil. librar. ei dederunt*. A clear evidence that this Agreement and Peace was made, and money granted and raised in *England*, by common advice & consent in Parliament (or Council) *Infrenduit Anglia tota velut arundinem Zephiro vibrante collisum*. *Unde Rex* Ethelredus *confusione magna consternatus, pecunia pacem ad tempus*

Proposit. 1, 6, 9.

(y) *Historiarum l.* 6. *p.* 360.

(z) *Anno* 1007. *p.* 387.

tempus, quam armis non potuit, adquisivit, writes (*z*) *Matthew Westminster*. *Rex Anglorum* Ethelredus, *pro bono pacis Tributum 36 mil. librarum persolvit Dacis*, as (*a*) *Radulphus de Diceto* words it. After which the King this year made *Edric*, (aforementioned) Duke of *Mercia*; and that by the Providence of God, to the destruction of the English, a man of base parentage, but extraordinary crafty, eloquent, witty, and unconstant, surpassing all of that age in envy, perfidiousness, pride, cruelty and Treason, who soon after maried the Kings daughter *Edith*: whereby he had the better opportunity to betray the King and kingdom, with less suspition.

Anno 1007. 387.

(*a*) *Abbrev. Chron. col.* 462.

(*b*) King *Ethelred*, though often vexed with the wars and invasions of these forein Enemies, yet he had a care to make good Laws for the benefit, peace and safety of his people; whereupon, having thus made Peace with the *Danes*, An. 1007. *he summoned and held a Great Parliamentary Council at Ænham*, on the Feast of *Easter*, at the exhortation of *Ælfeag* Archbishop of *Canterbury*, and *Wulstan* Archbishop of *Yorke*, who together with the rest of the *Bishops*, and **all the Nobles of England** were present at it. *Regis* Æthelredi **Edicto concrepante acciti sunt convenire.** Where they all assembling together **de catholicæ cultu Religionis reparando deque etiam rei statu publicæ reparando vel consulendo,** *plura et non pauca, utpote divinitus inspirati, ratiocinando sermocinabantur.* In this Council they debated, resolved on divers things, and enacted many wholesom Laws and Edicts for the reformation and setling of Religion, and Churchmen, the advancement of Gods worship; the Government of the Church and State, the advancement of civil Justice and honesty, and defence of the Realm by Land and Sea, beginning with the things of God and the Church in the first place; which you may read at large in Sir *Henry Spelman*. Some Laws whereof I shall here

Anno 1007. (*b*) *Spelmanni Concil. p.* 510. *to* 531. *Malmsb. l.* 2. *c.* 10.

Proposit. 5, 6.

here transcribe, being very pertinent to my subject.

Cap. 5. 'Sapientes decernunt, Ut Leges quique
Proposit. 1, 2, 4, 5. 'coram Deo et hominibus æquas statuant et tueantur: 'iniquas autem omnino deleant: justitiam pauperi atque diviti, pari exhibentes lance: et pacem insuper 'et concordiam piè in hoc seculo coram Deo et hominibus retinentes.

Cap. 6. 'Sapientes etiam decernunt, Ut nemo Christianum et insontem pretio tradat extra patriam, 'præsertim in Pagani alicujus servitium.

Cap. 7. 'Sapientes etiam decernunt, Ut pro delicto 'modico nemo Christianum morti adjudicet, sed in misericordia potius Leges administret ad utilitatem populi; et non pro modico eum perdat, qui est opus manuum Dei, et mercimonium ejus magno comparatum pretio. De quolibet autem Crimine acuratius decernito, sententiam præbens juxta factum, mercedem juxta meritum, ita scilicet, ut secundum divinam clemen- 'tiam levis sit pœna, et secundum humanam fragilitatem tolerabilis.

Cap. 9. 'Nemo dehinc in posterum Ecclesiæ servitium imponat, nec clientelam Ecclesiæ injuriis fa- 'ciat, nec Ministrum Ecclesiæ ejiciat inconsulto Epis- 'copo.

Cap. 21. 'Verba et opera rectè quisque disponat, et 'Jusjurandum pactamque fidem cautè teneat. Omnem etiam Injustitiam è patriæ finibus quâ poterit industriâ quisque ejiciat, et perjuria formidanda.

Cap. 22. 'Urbium, Oppidorum, Arcium atque Portium instauratio sedulo fiat, prout opus fuerit, restaurentur, renoventur: vallis et fossis muniantur, et 'circumvallentur; Militaris etiam et Navalis Provi-
Proposit. 1, 3, 6, 9. 'sectio, uti imperatum est, ob universalem utique 'necessitatem.

Cap. 23. *De Navali Expeditione sub Paschate.* 'Cavendum etiam est, ut celerius post Paschatis festum

'Navalis

'Navalis expeditio Annuo fit parata. Si quis Navem 'in Reipublicæ expeditionem deſignatum vitiaverit, 'damnum integrè reſtituito, et pacem Regis violatam 'compenſato. Si verò eam ita prorſus corruperit, ut 'deinceps nihili habeatur, plenam luito injuriam et læ-'ſam præterea Majeſtatem. So one tranſlation out of the Saxon Copy reads it: but another thus. 'Naves 'per ſingulos annos ob patriæ defenſionem et muni-'tionem præparentur: poſtque ſacroſanctum Paſcha 'cum cunctis utensilibus competentibus ſimul congre-'gentur. Quæ etiam pœna digni ſunt qui Navium de-'trimentum in aliquibus perficiunt, notum cunctis eſſe 'cupimus. Quicunque aliquam ex Navibus per quam-'piam inertiam, vel per incuriam, vel neg-'ligentiam corruperit, et tamen recuperabilis ſit; 'Is, navis corruptelam vel fracturam ejuſdem, per ſoli-'dam prius recuperet, Regique deinde, ea quæ pro e-'juſdem munitionis fractura, ſibimet pertinet, ritè 'perſolvat.

Cap. 24. *De Militum detractante.* 'Si quis de 'Profectione militari cui Rex interierit, ſine licentia ſe 'ſubſtraxerit, in detrimentum currat omnium fortu-'narum.

Theſe three laſt Lawes moſt clearly demonſtrate, that the *Militia* and *Military affairs* of this age, with all their Proviſions of Arms, Ships for defence of the Realm by Land and Sea, againſt the invading *Danes*, and other Enemies, with their Military Laws, and all other apurtenances thereto belonging, were ordered and ſetled in their *General Councils* by common conſent.

Cap. 26. 'Si quis vitæ Regis inſidiabitur, ſui ipſius *Propoſit.* 8. 'vitæ diſpendio, et quas habet, rebus omnibus pœnas 'luito: Sin negaverit, et purgatione qua licuerit, expe-'tierit, ſolemniori eam faciat juramento, vel Ordalio 'triplici, juxta legem Anglorum, et in *Danorum* lege, 'prout ipſa ſtatuit.

Cap. 27. 'Si quis Christi legibus, sive Regis se nefariè opposuerit, capitis plectitor æstimatione, vel 'mulctâ aliâ, pro delicti qualitate. Et si is contrarius rebellare armis nititur, et sic occiditur, inultus 'jaceat.

Propositi. 1, 2, 4, 5. *Cap.* 29. 'Scrutari oportet diligentius unumquemque modis omnibus, quonam pacto illud ante omnia 'efferatur Consilium, **quod populo habeat utilissimum**, 'et, ut recta Christi religio maxime provehatur, **injustumque quodlibet funditus extirpetur.** Hæc enim in rem fuerint **totius patriæ, ut injustitia conculcetur, et Justitia coram Deo et hominibus diligatur.**

Cap. 32. 'Ut quisquis fuerit potentior in hoc seculo, vel per scelera evectus in altiorem gradum, ita 'gravius emendabit peccata sua, et pro singulis malefactis pœnas luet graviores.

'Hæc itaque Legalia Statuta vel Decreta in **Nostro 'Conventu Synodali,** à Rege nostro magnopere edicta, **cunctis tunc temporis Optimates,** se observaturos fideliter spondebant.

The Invasions and Oppressions of the *Danes*, excited both the King, his Prelates and Nobles, in this Great General Council, not only to provide for their necessary defence against them by Land and Sea, but likewise to enact good Laws for the advancement of Gods worship and service, the good Government of the Republick, the advancement of Justice, and Righteousnesse, the suppression of all Oppressions, Injustice, wickedness, and preservation of the Just Rights and Liberties both of the Church and People; as the most effectual means to unite and preserve them against the Common Enemy, and to remove Gods wrath and judgements from them, as the other Statutes and Decrees of this Council more fully resolve, which you may peruse at leisure.

About the same year, (as I conjecture) or not long

long after (*c*) King *Ethelred* having ſome breathing time from wars by his Peace concluded with the perfidious *Danes*, held three other great Parliamentary *Councils*, the firſt at *VVoodſtock*, the ſecond at *Venetingum*, the third at *Haba*, wherein He and **his Wiſemen** made and publiſhed many excellent Civil and Eccleſiaſtical Laws, for the Good Government, Peace, VVelfare and happineſs of his People, recorded at large in *Bromton*, *Lambard*, and *Spelman*, where you may read them. I ſhall inſert only 3 of them made at *Venetingum* (VVantige, as ſome take it.)

[*c*] *Chron. Bromt. col.* 893. *to* 903. *Lambardi Archaion, Spelm. Concil. p.* 530, 531, 532, 533.

Cap. 4. *Habeantur placita in ſingulis* VVapentakis, *ut exeant ſeniores* 12 *Thayni & Præpoſitus cum eis, & jurent ſuper ſanctuarium quod eis dabitur in manus,* **Quod neminem innocentem velint accuſare, vel norium concelare.** *Præpoſit.* 5, 6.

Cap. 23. *Ad* **Billyngeſgate** *ſi adveniſſet una navicula, unus obolus* **Thelonii** *dabatur: ſi major & habet ſiglas,* 1 d. *ſi adveniat Ceol, vel ulcus, & ibi jaceat* 4 d. **ad Thelonium dentur.** *De navi plena lignorum, unum lignum* **ad Theloneum detur.** *In ebdomada panum* **Theloneum detur** 3 *diebus, die Dominica, die Martis, & die Jovis. Qui ad Pontem veniat cum Bato ubi piſcis ineſt, unus ob: dabatur* **in Theloneum,** *& de majori Nave* 1. d. *Homines de* Rothomago *qui veniebant cum vino vel craſpiſce,* Flandrenſes *&* Pontrienſes, *&* Normannia *&* Francia *monſtrabant res ſuas, &* **extolneabant.** Hogge, *&* Leodium, *&* Nivella, *qui per terras ibant, oſtentionem dabant* **et Theoloneum.** *Et homines Imperatoris qui veniebant cum navibus ſuis bonarum legum digni tenebantur, ſicut & nos emere in ſuas naves: Et non licebat eis aliquod* Forcheapum *facere burhmannis, & dare* **Theoloneum ſuum.** *Et in ſancto natali Domini duos Griſingos panes, & unum Brunum, &* 10 *libras Piperis, & ciroteeas* 5 *hominum, et duos cabillinas, colennos aceto plenos, & totidem in Paſca: de Doſſeris cum Gallinis, una Gallina* Thelon. *& de uno Doſſeto cum Ovis,* 5 *Ova Theolon. Si* *Præpoſit.* 9.

veniat ad Mercatum, mongestre, Sinere qui mangonant in Caseo & Butiro 14 diebus ante Natale Domini, 1. d. & 7 diebus post Natale Domini, Unam aliam denariam **ad Theloneum.**

Cap. 24. *Si Portireu vel Tungravia, vel alius Praepositus compellat aliquem quod* **Theolon. supertenuerit,** *& homo respondeat, quod* **nullum Theloneum concelaverit quod justè debuit,** *juret hoc se sexto, & sit quietus. Si appellet quod* **Theolonium dederit,** *inveniat cui dedit, & quietus sit. Si tunc hominem invenire non posset cui dedit,* **reddat ipsum Theloneum, et persolvat 5 l. Regi.** *Si Cacepollum advocet, quod ei* **Theoloneum dedit,** *& ille neget, perneget ad decimum, et in nulla alia lada.*

Proposit. 1.

These are the first Laws (to my remembrance) wherein there is any mention of *Toll, Tribute, or Custom*, paid by any Natives or Foreiners for goods or merchandise imported or sold; or any forfeitures or penalty imposed for concealing or non-payment thereof, which it seems were imposed about this time by common consent in a Parliamentary Council, for the better maintenance of the Navy, and defence of the Realm against the *Danes*, the end for which I cite them.

Anno 1008, 1009. [d] *Florentius Wigorn. Sim. Dunelm. Mat. Westm. Huntin. Hoved. Malmesb. Ingulph. Radulph. de Diceto, Bromt. Polychron. Fab. Grafton, Fox, Holinsh. Speed, Daniel, Antiq. Eccles. Brit. Knyghton.*

The King having thus in the Great Councils of *Ænham* and *Wantige*, by consent of his Nobles and Wisemen, provided a Navy to be annually set out for the defence of the Realm, in pursuance thereof the selfsame year (as our (d) Historians joyntly attest) *commanded one ship to be built, and furnished out of every 310 Hides, or Ploughlands, and a Buckler & Helmet out of every 9 Ploughlands, throughout his Realm. The ships being accordingly provided, the King victualled and placed choosen Souldiers in them, and assembled them all together to the port of* Sandwich, *that they might defend the Coasts of the kingdom from the irruptions of Foreiners. An.* 1009. *Puppes praedictæ congregatæ sunt apud* Sandwic, *& viri optime armati, Nec fuit tantus numerus Navium tempore alicujus in Britannia*, writes *Henry Huntindon.* But

Propositi. 2, 3, 6, 9.

yet

yet God frustrated and blasted all their designs, beyond expectation: For about, or a little before this time, *Brithericus* a slippery ambitious proud man, brother to perfidious Duke *Edric*, injuriously accused *Wulnoth*, a Noble young man of *Southsex* to the King, whose servant he was; who thereupon **banished him.** *Wulnoth* upon this fled away, lest he should be apprehended, and having gotten 20 Ships, exercised frequent Piracies upon the Sea Coasts. The Kings Navy being thereof informed, and that any man who would might easily take him, *Brithtric* hereupon, to get praise to himself, took 80 of the Kings Ships with him, and promised to bring *Wulnoth* alive or dead to the King. VVhen he had prosperously sailed a long time in pursute of him, a most violent tempest suddenly arising, shattered and bruised all the ships, driving them one against another, and forced them to run ashore upon the dry land, with great loss, where *Wulnoth* presently coming upon them, fired and burnt them all. The rest of the Navy discontented with this sad news, returned to *London*: The Army likewise then raised was dispersed, *Et sic omnis labor Anglorum cassatus est*, writes *Huntindon*: or, as *Wigornienſis* and others express it, *Sicque totius populi maximus labor periit*, to their great grief and disappointment. Upon this disaster, in the time of *Harvest*, Earl *Turkel* a *Dane* arived with a great new Fleet of *Danes*, and an innumerable Army at *Sandwich*, whom another great Navy of *Danes* under the command of *Hemmingus*, *Erglafe*, & *Tenetland* followed in the Moneth of *Auguſt*. These all joyning together marched to *Canterbury*, assaulted, made a breach therein, and were likely to take it. Whereupon the Citizens and Inhabitants of *East-Kent* were inforced to purchase a firm peace with them, at the sum of 3000 pounds; which being paid, they returning to their ships pillaged the Isle of *Wight*; with the Counties of *Sussex* and *Southampton*, near the Sea-

Sea-Coaſts, burning the Villages, and carrying away great booties thence. King *Ethelred* upon this, raiſed and collected a great Army out of all *England*, placing forces in all Counties near the Sea, to hinder the *Danes* landing and plundring. Notwithſtanding they deſiſted not, but exerciſed rapines in all places where they could conveniently land. At laſt, when they had ſtraggled further off from their Ships than they accuſtomed, and thought to have returned laden with ſpoils, the King with many thouſands of Souldiers intercepting their paſſage, reſolved to die, or to conquer them. But perfidious Duke *Edric*, by his treacherous and perplexed orations, endeavored to perſwade the King and Souldiers, not then to give the Enemies battel, but to ſuffer them to eſcape at that time. *Suaſit & perſuaſit.* And thus, (like a Traitor to his Country, as he ever had been) he then delivered the *Danes* out of the *Engliſhmens* hands, and ſuffered them to depart with their booty, without reſiſtance. The *Danes* after this taking up their Winter quarters in the River of *Thames*, maintained themſelves with the ſpoils they took out of *Eſſex*, *Kent*, and other places on both ſides of the River, and oft times aſſaulting the City of *London*, attempted to take it by aſſault, but were ſtill valiantly repulſed by the Citizens with great loſs.

Anno 1010, 1011, 1012.

In *Jan.* 1010. the (*e*) *Danes* ſallying out of their Ships, marched through *Chiltern* Foreſt to *Oxford*, which they pillaged and burnt, waſting the Country on both ſides the *Thames* in their return. Being then informed that there was a great Army raiſed and aſſembled againſt them in *London*, ready to give them battel; thereupon that part of the *Daniſh* Army on the North-ſide of the *Thames*, paſſed the River at *Stanes*, and there joyning with thoſe on the South-ſide, marched in one body to their Ships through *Surrey*, laden with

[*e*] *Malmesb. Ingulph. Flor. Wigorn. Sim. Dunelm. Huntind. Hoveden, Mat. Weſtmin. Bromt. Radulphus de Diceto. Polychronicon, Knighton, Fab. Holinſh, Speed, Fox, Grafton, Daniel, Antiq. Eccleſ. Brit.*

ſpoyls,

ſpoils, refreſhiug themſelves in *Kent* all the *Lent*. After Eaſter they went into the Eaſt parts of *England*, marching to *Ringmere* near *Ipſwich*, where Duke *Ulfketel* reſided. On the firſt of *May* they fought a ſet battel with him, where, in the heat of the battel the *Eaſt-Engliſh* turned their backs on *Turketel* a *Dane*, beginning the fight: but the *Cambridgeſhire* men fighting manfully for their Country and Liberty, reſiſted the *Danes* a long time, but at laſt being overpowred with multitudes, they likewiſe fled; Many Nobles and Officers of the King, and an innumerable multitude of people were ſlain in the fight. The *Danes* gaining the victory, and thereby *Eaſt-England*, turned all Horſemen, and running through the Country for three Months ſpace, burnt *Cambridge*, *Thetford*, with all the Towns and Villages in thoſe parts, ſlew all the people they met with, as well Women and Children, as Men; toſſing their very Infants on the tops of their Pikes, waſted, pillaged all places, killing the Cattel they could not eat, and with an infinite rich booty their Footmen returned to their ſhips. But their Horſemen marching to the River of *Thames*, went firſt into *Oxfordſhire*, and from thence into *Buckingham*, *Herford* and *Bedford* Shires, burning Villages, and killing both Men and beaſts, and wholly depopulated the Country; then they retired laden with very great booties to their ſhips. After this, about the Feaſt of St. *Andrew* they rambled through *Northamptonſhire*, burning and waſting all the Country, together with *Northampton* it ſelf; then marching Weſtward into *Wiltſhire*, they burnt, pillaged, depopulated the Country, leaving all thoſe Counties like a deſolate Wilderneſs, there being none to reſiſt or encounter them after their great victory at *Ringmere*.

The *Danes* having thus waſted and depopulated *Eaſt-England*, *Eſſex*, *Middleſex*, *Herford*, *Buckingham*, *Oxford*, *Cambridge* Shires, half *Huntingdon-*

shire, most of *Northamptonshire*, *Kent*, *Surrey*, *Sussex*, *Southampton*, *Wiltshire*, and *Barkshire*, with Fire and Sword. King *Ethelred*, **et Regni sui Magnates**, and
Propos. 1,6,9. the Nobles of his Realm, thereupon sent Ambassadors to the *Danes*, *desiring peace from them*, *and promising them* **Wages and Tribute**, *so as they would desist from depopulating the Realm*. Which they upon hearing the Embassadors *consented to*, *yet not without fraud and dissimulation*, as the Event proved. For although provisions and expences were plentifully provided for them, and Tribute paid them by the *English* according to their desires, yet they desisted not from their rapines, but marched in Troops through the Provinces, wasting the Villages every where, spoiling most of the miserable people of their goods, and some of their lives. At last, not satisfied with rapine and bloodshed, between the Feasts of St. *Mary* and St. *Michael*, they besieged *Canterbury*, (contrary to their dear bought peace) and by the treachery of Archdeacon *Almear* took the City, which they pillaged and burnt to the ground, together with the Churches therein, burning some of the Citizens in the fire, slaying others of them, casting many of them headlong over the Walls, dragging the VVomen by the hair about the streets, and ravishing, and murdering them. After which they decimated the Men, VVomen, Monks, and little Children that remained, leaving only the tenth of them alive, and murdering the rest, slaying no less than 900 Religious persons, and above 8000 others in this manner, as some of our *Historians* relate. Mr. (*f*) *Lambard* in his Perambulation of *Kent*, computeth, that ther were massacred 43 thousand and two hundred persons in this Decimation, there being only 4 Monks, and 4800 Laypeople saved alive. The Archbishop (*g*) *Alfege*

(*f*) See Speeds History, p. 419. [g] See *Antiq. Eccles. Brit. Gervasius, Malmesb. and Godwin in his life. Huntind. Hist. l. 6. p. 361, Mat. Vvestm. Hoveden, Bromt. Wigorn. Sim. Dunelm. Polychron. Grafton, Holinsh. Fab. Speed, Daniel, VVil. Thorn, col. 1782. Radulph. de Diceto Abbrev. Chron. col. 464, 465.*

they

they took priſoner, bound in chains, buffeted, grievouſly wounded, and then carried to their Fleet, where they kept him priſoner 7 Moneths. At laſt they propounded to him, *that if he would enjoy his life and liberty, he ſhould pay them* 3000 *pounds for his ranſom: which he refuſing to do Week after Week; prohibiting any others to give them any thing for his ranſom*, they were ſo inraged with him, that bringing him forth publikely to their Council at *Greenwich*, they ſtruck him down to the ground with their battel Axes, Stones, and the Bones and Heads of Oxen, and at laſt one *Thrum*, (whom he had confirmed but the day before) moved with an impious piety, cleft his head with an Axe, and ſo martyred him. The *Londoners* hearing of it, purchaſed his dead corps with a great ſum of money, and honourably interred it: But above 2000 of theſe bloody Villains were in ſhort time after deſtroyed with grievous diſeaſes. VVhiles theſe things were acted by the *Danes* in *Kent. Anno* 1012. *perfidious Duke Edric* (*h*) **et omnes cujuſcunque Ordinis et Dignitatis Primates Congregati**, and all the Nobles of every Order and Dignity aſſembled together at the City of *London* continuing there til they had levied and paid to the *Danes* **a Tribute of forty** (as ſome) or **forty eight thouſand pounds** (as others write) upon this condition; *That all the* Danes *within the Realm ſhould have everywhere a peaceable habitation with the Engliſh, and that there ſhould be, as it were, one Heart, and one Soul of both people* (as *Matthew Weſtminſter*, *Daniel*, and ſome others record the Agreement.) Which Accord *being ratified on both ſides with Pledges and Oaths* (as *Matthew Weſtminſter* and others relate,) King *Swain* (as ſome Hiſtorians write, though others mention not his being here in perſon, but only by his Commanders) returned into his own Land, and ſo the rage of the *Daniſh perſecution* ceaſed for a ſhort ſpace. Upon this agreement 45 of the *Daniſh* ſhips under the command of

Anno 1012.

(*h*) *Simeon Dunelm. Hiſt. col.* 169. *Hoveden Annal. pars* 1. *p.* 432. *Florent. Wigorn. p.* 378. *Mat Weſtm. An.* 1012. *Polychron. Graſt. Fabian, Speed, Daniel.*

Propoſ. 1, 6, 9.

Turkill the *Danish* General, submitted themselves to King *Ethelred*, promising, *That they would defend* England *against strangers and forein invasions, upon this condition, that the English should find them victuals and cloaths.*

(i) *Historiarum l. 6. p. 261. Chron. Johan. Bromton. col. 891.*

Henry Huntindon censures this accord, with the *Danes*, as made overlate. *Tunc vero Rex nimis serò pacem fecit cum Dacorum exercitu, dans eis* 8000 (misprinted for 48000) *librarum; nunquam enim tempore opportuno pax fiebat, donec nimia contritione terra langueret.*

To what extremities King *Ethelred* was put to raise this and the other forementioned Tributes to the *Danes*, and to pay his own Captains besides; and how much the Monasteries were taxed, oppressed, exhausted of all their moneys, plate, wealth by the King, his Officers and the *Danes*, during these wars, by force and menaces, this memorable passage of *Abbot Ingulphus* will best inform us, not mentioned by any other Historians, which I purposely reserved, as propereſt for this place.

(k) *Ingulphi Histor. p. 890, 891, 892.*

[k] 'In tempore itaque Domini *Osketuli* Abbatis 'Croylandiæ, cum sic *Dani* totam terram inquietarent, 'indigenæ de Villis & Vicis ad Civitates & Castella, '& plerique ad paludes, et lacus, loca invia refugientes, *Danorum* transitum et discursum pro anima præ'cavebant. Cœperunt tunc omnia terræ Monasteria à Rege *Ethelredo*, et Ducibus ejus ac Ministris Gra'vissimis exactionibus subjici, et ad satisfaciendum 'Danicis Tributis pro immensis pecuniarum summis sibi impositis, supra modum affligi: *Et direptis 'thesauris, ac monasteriorum tam sacris calicibus, quam 'aliis jocalibus, etiam sanctorum Scrinia jubent ab 'exactoribus spoliari.* Venerabilis ergo pater dominus 'Osketulus Abbas Croilandiæ 400. *marcas pro talibus* 'Tributis *variis vicibus exolverat: et tandem* 12. annis in officio pastorali sanctè ac strenuè consummatis, 'mortis sacræ compendio Regias exactiones, univer'sosque

Propos. 1, 9.

'ſolque ſeculi timores cum carnis depoſitione finaliter
'exuebat. 12. Cal. Novemb. Anno ſcil. Domini 1005.
'Cui ſucceſſit ad Abbatis officium Venerabilis Pater
'Abbas *Godricus*, electus et effectus Abbas in *diebus an-*
'*guſtiæ, tribulationis et miſeriæ; laborioſiſſimeque* rexit
'Monaſterium 14. annis, ſub prædicto rege *Ethelredo*:
'Hujus Abbatis tempore cum *Dani* totius terræ ferè
'obtinerent dominium, et tàm per *Ethelredum* regem
'et ejus Duces *Edricum*, *Alfricum*, *Godwinum* et ali-
'os plures **importabiles Impoſitiones pro Danorum**
'**tributis perſolvendis, ac aliæ Exactiones graviſſimæ**
'**ad eorundem Ducum expenſas plurimas reſtauran-**
'**das**, quam per *Analafum* et *Sivanum*, ac eorum exer-
'citus deprædationes, deſpoliationes et deſtructiones
'aſſidue fierent **ſæpe multa Monaſteria de omni De-**
'**nario emuncta ſunt.** *Non tamen exactor s ultimam*
'*quadrantem ſe extorſiſſe credere voluerunt. Ita hinc re-*
'*ligioſi, quo magis premebantur magis putabantur ha-*
'*bentes, magis putabantur abundantes.* Hinc venerabi-
'lis Pater Abbas *Godricus ſolvit primo Anno Regi* E-
'thelredo, 200 *marcas*: *Duceſque ſui pro ſuis expenſis*
'*ſimiliter ducentas marcas extorquebant, præter minores*
'*ſumptus, qui quotidie Regis miniſtris irruentibus conti-*
'*nue fiebant. Secundo, tertio ac quarto anno* **ſimiliter actum**
'**eſt.** *Tertio enim anno* **pro Triremibus per omnes por-**
'**tus Fabricandis, et Navali Militia cum victualibus,**
'**et aliis neceſſariis exhibenda, Ducentæ Libræ exactæ**
'**ſunt.** Quarto etiam anno cum *Turketulus*, Danicus
'Comes cum fortiſſima claſſe appliciuiſſet. **Pro centum**
'**Libris miſſum et ad ſolutionem per exactores cru-**
'**delisſimos commiſſum eſt.** Di currentelque *Dani*
'*cunctas per provincias*, omnia mobilia diripientes, im-
'mobilia cremantes, *Draiton*, *Kotenham*, et *Hoketon*
'maneria *Croylandiæ*, cum toto Comitatu *Cantabrigiæ*
'direpta, ignibus tradiderunt. Sed hæc nuntia ſunt
'malorum. Quippe cum **quolibet anno ſequente qua-**
'**tuor centum ſparæ Regis exactionibus et Ducum**
'**ſuorum**

'suorum sumptibus communiter solverent, rex *Swa-*
'*nus* veniens cum classe recenti exercitu ferociſſimo
'tunc omnia depopulatur. Irruens enim de *Lindeſia*,
'vicos cremat, ruſticos eviſcerat, religioſos omnes va-
'riis tormentis necat: tunc *Baſton* et *Langtoft* flammis
'donat. Is erat annus Domini 1000. Tunc monaſteri-
'um Sanctæ *Pegæ* omniaque ſua contigua maneria, ſci-
'licet *Slinton*, *Northumburtham*, *Makeſey*, *Etton*, *Ba-*
'*dington*, & *Bernake*, omnia una vice combuſta, tota fa-
'milia cæſa, vel in captivitatem ducta. Abbas cum
'toto comitatu nocte fugiens et navigio in *Croylandi-*
'*am* veniens, ſalvatus eſt. Similiter Monaſterium
'*Burgi*, villæque vicinæ ac maneria ſua, *Ege*, *Thorp*,
'*Walton*, *Witherington*, *Paſton*, *Dodifthorp*, et *Caſtre*, pri-
'us omnia direpta, poſtea flammis tradita ſunt. Abbas
'cum majore parte conventus ſui aſſumptis ſecum ſa-
'cris reliquiis ſanctarum Virginum, *Kineburgæ*, *Ki-*
'*neſwithæ* ac *Tibbæ* Thorniam adiit. Prior autem cum
'nonnullis fratribus, aſſumpto ſecum brachio ſancti
'*Oſwaldi* regis, ad inſulam de *Hely* aufugit. Subprior
'vero cum 10. fratribus ad *Croylandiam* venit fælicitèr.
'Illo anno ex frequentibus fluviis inundationes excre-
'verunt, et vicinas paludes, circumq; jacentes mariſcos
'immeabiles reddebant. Ideo totus mundus advenit,
'populus infinitus affluxit, Chorus et clauſtrum reple-
'bantur Monachis, cætera Eccleſia ſacerdotibus et cleri-
'cis, Abbatia tota laicis, cæmeteriumq; nocte ac die ſub
'tentoriis mulieribus et pueris: fortiores quicunque
'inter eos ac juvenes in ulnis et alnetis ora fluminum
'obſervabant: erantque tunc quotidie (ut cætera one-
'ra taceantur) 100 Monachi in menſa. Super hæc om-
'nia, per nuncium Rex *Swanus* **Monaſterio Croylan-**
'**diæ mille Marcas impoſuit**, et ſub pœna combuſtio-
'nis totius Monaſterii ſolutionem dictæ pecuniæ certo
'die apud *Lincoln* aſſignavit; *infraque tertium menſem*
'*poſt ſolutionem hujus pecuniæ, iterum pro victualibus ſuo*
'*exercitui providendis exactores nequiſſimi* **mille Marcas**
'minis

‹ **minis maximis extorquebant.** Ventilatum eſt tunc ‹ et ubique vulgatum crudele martyrium S. *Elphegi* ‹ Archiepiſcopi Doroberniæ, *qui quia ſummam pecuniæ* ‹ *exceſſivam ſibi impoſitam pro ſua redemptione ſolvere de-* ‹ *trectavit, belluina* Dacorum *ferocitas eum acerbiſſimo* ‹ *tormento crudeliter interemit. Omnes fera tempora fle-* ‹ *bant, fœlices qui quocunque modo in fata proceſſerant.* ‹ Abbas *Godricus* maximè, cui cura tanti populi incum- ‹ bebat et quem Rex *Ethelredus* cumulos argenti habe- ‹ re exiſtimabat. Danicus vero *Swanus*, ſuuſque totus ‹ exercitus ei, tanquam Domino de manibus eorum re- ‹ fugientium, juges inſidias et minas ſemper maximas ‹ ingerebat. Demum expenſis internis **et exactionibus** ‹ **externis totus theſaurus Domini Turketuli Abbatis** ‹ **diſtractus eſt,** horrea monachorum *Egelricorum* demolita ‹ ſunt, cum adhuc **Regii exactores pro pecuniis quoti-** ‹ **die irruerent** *Et eum tanquam patriæ proditorem, et Da-* ‹ *norum proviſorem regi in proximo cum dignis compedibus* ‹ *deducendum, et ſupplicüs tradendum pro ſuis demeritis af-* ‹ *firmarent.* Perculſus ergo venerabilis Pater Abbas ‹ *Godricus* dolore cordis intrinſecus pro tot minis terri- ‹ bilibus, convocat totum ſuum conventum; et nun- ‹ cians nummos Monaſterio deficere, orat et exorat, ‹ quatenus doceant et decernant in medio, *quid contra* ‹ *nequam ſeculum magis expediat faciendum?* Tandem ‹ longo tractatu placet hæc ſententia cunctis, aliquem ‹ Miniſtrorum ſeu ſatellitum *Edrici* Ducis Merciorum ‹ conducere, et cum pecuniæ deficerent, *terris et tene-* ‹ *mentis ad terminum vitæ concedendis, in ſuum defenſorem* ‹ *contra imminentia pericula obligare.* Erat enim ille ‹ *Edricus* potentiſſimus poſt regem in terra, et cum re- ‹ ge *Ethelredo*, et cum *Swano* rege *Danorum* familiariſſi- ‹ mus, et poſtea cum *Cnuto* filio ſuo. Conductus eſt ‹ ergo quidam maximus ſatellitum dicti Ducis *Edrici* ‹ nomine *Normannus*, ſanguine ſumme clarus, filius, vi- ‹ delicet Comitis *Lefwini*, et Frater *Leofrici* nobilis ‹ Comitis *Leiceſtriæ*, dato ſibi (prout poſtulabat) ma-

‹ nerio

'nerio de *Badby*, ad terminum 100. annorum. Ille dictum manerium acceptans, tenere de Sancto *Guthlaco* per firmam in grano piperis per annum in festo S. *Bartholomæi* singulis annis persolvendo, fideliter promittebat, et se futurum procuratorem ac protectorem Monasterii contra omnes adversarios confecto inde chirographo obligabat. Valuit illud Monasterio aliquanto tempore, scilicet omnibus diebus vitæ suæ.

By which passages it is apparent, what Taxes, exactions, pressures the Monasteries and others suffered both from King *Ethelred* his Captains and Officers on the one side, and from the *Danes* on the other side; and how they were enforced to hire and bribe great Souldiers and Courtiers, by leases and monies, to protect them from utter ruine.

(*l*) *History of Great Britain, p.* 416.

l John Speed affirms, *That the Clergy as backward as any, denied to King* Ethelred *their assistance, pleading their exemptions from warr, and privileges of the Church, when the land lay bleeding and deploring for help, and scandalized all his other proceedings for demanding their aydes.* But this passage of Abbot *Ingulphus* so near that age, out of the Register Books of *Croyland* (whereof he was Abbot not long after) proves they paid great annual contributions to the King and his Officers, which consumed all their money, plate, Jewels, Chalices, and the very shrines of their Saints, notwithstanding all Charters and exemptions. And as for the Laity,

(*m*) *De Gestis Reg. l.* 2. *c.* 10. *Propos.* 1, 4.

m William of *Malmsbury*, *Radulphus Cistrensis*, Mr. *Fox*, and others write. *That King* Ethelred *had such a condition, that he would lightly dis-inherit Englishmen of their lands and possessions, and caused them to redeem the same with great sums of money, and that he gave himself to polling of his Subjects, and framed Trespasses for to gain their money and goods,* **for that he paid great Tribute to the Danes yearly.** *Whereby he lost the affections of the people, who at last deserted him, and submitted*

mitted themſelves to the Daniſh *Invaders, who uſurped the Soveraign power, and forced him out of* England *with his Queen and Children.* Theſe Unrighteous Oppreſſions, Diſ-inheriſons, and Exactions of his were ſpecially provided againſt by his Nobles, Prelates, and VViſemen in the (*n*) *Councils of Ænham* and *Habam* forecited, by ſpecial Laws, and ſpecial excellent Prayers and Humiliations preſcribed to be made to God to protect them from his judgements, and the invading, oppreſſing, bloody *Danes*, worthy peruſal; yet pretended neceſſities and VVar, laid all thoſe Laws aſleep.

(*n*) *Spelm. concil. p.* 530, 531. *Chron. Joh. Bromt. col.* 901, 902, 903.

In the year of Chriſt 1013. (the very next after the *Engliſhmens* deareſt purchaſed Peace, which the perfidious gold-thirſty *Danes* never really intended to obſerve) King *Swain*, by the ſecret inſtigation of *Turkel* the *Dane* (whom King *Ethelred* unadviſedly hired to guard him with his *Daniſh* ſhips from forein Invaſions) who ſent him this Meſſage, (*o*) *Angliam præclaram eſſe patriam & opimam, ſed Regem ſterrere illum Venire Vinoque ſtudentem, nihil minus quam bellum cogitare: Quapropter odioſum ſuis, ridiculum alienis, Duces invidos, Provinciales infirmos, primo ſtridore Lituorum præliocceſſuros*, (*p*) arrived at *Sandwich* with a great Fleet and Army of *Danes*, in the Moneth of *July*; where reſting themſelves a few days, he ſailed round the Eaſt part of *England*, to the mouth of *Humber*, and from thence into the River of *Trent*, to *Gainsborough*, where he quitted his ſhips, intending to waſte the Country. Hereupon, firſt of all Earl *Uhtred* & the *Northumbrians*, with thoſe of *Lindeſey*, preſently without delay, and after them the Freelingers with all the people in the Northern parts of *Watling ſtreet*, having no man to defend them, yeelded themſelves up to *Swain* without ſtriking one ſtroke; and eſtabliſhing a peace with him, they gave him Hoſtages for their loyalty, and **ſwore Fealty to him as their Soveraign.** Whereupon he commanded them to provide horſes and victu-

Anno 1013.

(*o*) *Malmesb. de Geſtis Reg. l.* 2, *c.* 10. *p.* 69.

[*p*] *Malmesb. Wigorn. Mat. weſtm. Sim. Dunelm. Radulphus de Diceto. Huntind. Hoveden, Ingulphus, Polychron. Fabian, Graſton, Holinſhed, Speed, Daniel, Fox.*

als for his Army, which they did. *William Malmesbury* obſerves, that the *Northumbrians* thus unworthily ſubmitted to *Swane* his Government; *Non quod in eorum mentibus genuinus ille calor, & Dominorum impatiens refriguerit, ſed quod Princeps eorum* Uthredus *primus exemplum defectionis dederit.* Whoſe example drew on all other parts. *Illis ſub jugum miſſis cæteri quoque omnes populi qui Angliam ab* Aquilone *inhabitant* **tedigal et obſides dederunt.** A very ſtrange and ſudden change, conqueſt, without a blow. *Swain* committing his Navy and Hoſtages to his ſon *Cnute*, raiſed choſen Auxiliaries out of the *Engliſh*, who ſubmitted to him, and then marched againſt the Southern *Mercians*. Having paſſed *Watling ſtreet*, he by a publike Proclamation commanded his Soldiers, *to waſt the Fields, burn the Villages, cut down the Woods and Orchards, ſpoil the Churches, kill all the Males that ſhould come into their hands, Old and Young, without ſhewing them any mercy, reſerving only the Females to ſatisfie their luſts, and to do all the miſchiefs that poſſibly they could act.* Which they accordingly executed, raging with beaſtly *cruelty*. Marching to *Oxford*, he gained it ſooner than he imagined by ſurrender: taking Hoſtages of them, He poſted thence to *Wincheſter*: Where the Citizens extraordinarily terrified with the exceſſiveneſs of his cruelty, immediately yeelded, and made their peace with him; they and the whole Country giving him ſuch and ſo many hoſtages as he deſired, for his ſecurity, and likewiſe ſwearing allegiance to him. Only the *Londoners* defending their lawfull King within their walls, ſhut the Gates againſt him. From *Wincheſter Swain* marched with great glory and triumph to *London*, endeavouring by all means, either to take it by force, or ſurprize it by fraud. At his firſt arrival he loſt many of his Souldiers, who were drowned in the River of *Thames* through overmuch raſhneſs, becauſe they would neither ſeek for Bridge nor ford to paſs over it.

King

King *Ethelred* being then within the City, and having no other refuge, the Citizens closing their Gates manfully defended their lawfull King and City againſt the aſſailants. Who encouraged with the hope of glory, and great booty, fiercely aſſaulted the City on all ſides, but were all moſt valiantly repulſed by the Citizens, through the aſſiſtance of valiant Earl *Turkel*, then within it; the *Danes* ſuſtaining great loſs of men, who were partly ſlain, and partly drowned, the Citizens not only repulſing them from the Walls; but likewiſe ſallying forth, and ſlaying them by heaps, ſo that *Swain* himſelf was in danger to be ſlain, had he not deſperately ran through the midſt of his Enemies, and by flight eſcaped their ſwords. (q) *Malmesbury* thus writes of the Citizens, *Oppidani in mortem* **pro Libertate ruebant**, *nullam ſibi veniam futuram arbitrantes*. **ſi Regem deſererent, quibus ipſe vitam ſuam commiſerat.** *Itaque cum utrinque acriter certaretur*, **Juſtior cauſa victoriam habuit**, *Civibus magna ope conantibus, dum unuſquiſque ſudores ſuos*, **Principi oſtentare; et pro eo pulchrum putaret emori**: *Hoſtium pars proſtrata, pars in flumine Thameſi necata.* Hereupon *Swain* deſpairing to take the City, marched with his torn ſhattered Army, firſt to *Wallingford*, plundering and demoliſhing all things they met with in their way, after their wonted manner, and at laſt they came to *Bath*; where *Ethelmere* Earl of the Weſt Country, with all his people came and ſubmitted to him, giving him hoſtages for their loyalty. Having thus finiſhed all things according to his deſire, he returned with his Hoſtages to his Navy, being both called and reputed **King by all the People of England** (*London* excepted **ſi Rex jure queat vocari, qui fere cuncta Tyrannice faciebat**, write *Florence* of *Worceſter*, & *Simeon Dunelmenſis* very cautelouſly, *Nec adhuc flecterentur* Lordinenſes **tota jam Anglia in clientelam ejus inclinata**, *niſi* Etheiredus *præſentia eos deſtitueret ſua*: as *Malmesbury* obſerves.

(q) *De geſtis Regum l. 2. c. 10. p. 69.*

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King *Ethelred* being a man given to sloathfullness, and through consciousness of his own demerits, very fearful (deeming no man faithfull to him, (r) *by reason of the tragical death of his Brother Edwaod*, for which he felt this Divine revenge, not daring to raise an Army, nor fight the Enemy with it when raised, **Ne Nobiles Regni quos injuste exhæredaverat,** lest the Nobles of the Realm, whom he had unjustly dis-inherited, should desert and deliver him up to the Enemy;) declining the necessity of war, and of a new siege, most unworthily deserted the *Londoners* (his faithfull valiant Subjects and Protectors in the midst of their dangers & Enemies, flying away secretly frō them to *Hamshire*, by secret journies, from whence he sailed to the Isle of *Wight*. Hereupon the *Londoners*, (f) *Laudandi prorsus viri & quos Mars ipse collata non spernaret hasta, si Ducem habuissent, Cujus dum vel sola umbra protegerentur totius pugnæ, aleam, ipsam obsidionem etiam non paucis mensibus luserunt*) Seeing themselves thus unworthily deserted by their Soveraign in their extremities, moved by the example of the rest of their Countrymen, submitted themselves likewise to King *Swain*, sending Hostages to, and making their peace with him; the rather, for that they feared *Swains* fury was so much incensed against them, for his former shamefull repulses by them, that if they submitted not to him of their own accords, he would not only spoil them of all their goods, but likewise command either all their eyes to be pulled out, or their hands and feet to be cut off, if he subdued them by force. (t) *John Speed* (against the current of other Historians) informs us, That *Swain* after his repulse from *London*, having received a certain sum of money, went back into *Denmark*, for want of victuals, and to recruit his shattered Army, whence returning soon after, he was immediatly met by the *English*, where betwixt them was struck a sore battel, which had been with good success, had not

(r) *Matthew Westmin?. An.* 1013. *p.* 393. *Malmesbury, l.* 2. *c.* 10. *Huntind. p.* 432. *Sim. Dunelm. p.* 169.

[f] *Malmesb. de Gestis Reg. l.* 1. *c.* 10.

[t] *History of Great Britain, p.* 412, 421. *& Edit.* 1611. *p.* 378, 379.

not the Treason of some hindred it, in turning to the *Danes*. King *Ethelred* therefore seeing himself and the Land betrayed on this manner, to those few true English that were left, used this Speech as followeth.

'*If there wanted in me a fatherly care, either for the* de-'fence of the Kingdom, or administration of Justice in 'the Commonwealth, *or in you*, the carriage of Soul-'diers for defence of your Native Country, *then truly* '*silent would I be for ever, and bear those calamities with* '*a more dejected mind: but as the case stands (be it as it* '*is) I for my part am resolved, to rush into the midst of* '*the Enemy*, and to lose my life for my kingdom and 'Crown. *And you (I am sure)* hold it a worthy 'death, that is purchased for the Liberties of your 'selves and kinred; and *therein I pray you*, let us all die; '*for I see both God and destiny against us, and the name of* '*the* English Nation *brought almost to the last period: for* '*we are overcome, not by weapons and hostile warr, but* by 'Treason and domestick falshood: our Navy betrayed 'into the *Danes* hands, our battel weakned by the re-'volt of our Captains, our designs betrayed to them by 'our own Counsellers, and they also inforcing compo-'sition of dishonourable Peace: *I my self disesteemed,* '*and in scorn termed*, Ethelred the unready: *Your va-*'*lour and loyalty* betrayed by your own Leaders, and '**all our poverty yearly augmented by the payment of** '**their Danegelt**; *which how to redress God only knoweth,* '*and we are to seek. For if* **we pay money for peace,** '*and that confirmed* **by Oath**, *these Enemies soon break* '*it, as a people that neither regard God nor man, contrary* '*to equity and the Laws of War, and of Nations; and so far* '*off is all hope of better success, as we have cause to fear* '*the losse of our kingdom, & you the extinction of the Eng-*'*lish Nations revenue. Therefore seeing our enemies are at* '*hand, and their hands at our throats, let us by fore-sight* '*and counsel save our own lives, or else by courage sheath*

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'*our swords in their bowels, either of which I am willing to*
'*enter into*, to secure our Estate and Nation from an ir-
'recoverable Ruine. After which Speech he and his Army retreated, and gave way to the prevailing Enemy.

Swain herepon setling all things according to his own will, when as he knew, that no man durst resist him, *commanded* himself to be *called* **King of England, Dum non fuit alius qui pro jure regni decertare, vel se regem confiteri ausus fuisset**, as (*u*) *Matt. Westminster*, and others write. Such a strange fear and stupidity was then fallen upon *Ethelred* and the whole English Nation. After this *Ethelred* privily departed from *London* to *Hampton*, and from thence to the Isle of *Wight* as aforesaid, where advising with the *Abbots*, and Bishops there assembled in *Council*, what course was best to steer, he spake thus unto them, the History whereof I shall fully relate in (*x*) *William* of *Malmesbury* his words. '*Ibi Abbates et Episcopos.* **Qui nec in tali necessitate Dominum suum deserendum putarent,** *in hanc convenit sententiam.* Viderent quam in
'angusto res essent suæ, et **suorum se perfidia Ductum**
'**abito extorrem solio,** et opis egentem alienæ, in cu-
'jus manu aliorum solebat salus pendere: quondam
'Monarcham et Potentem, modo miserum et exulem:
'dolendum sibi hanc commutationem, quia facilius to-
'leres opes non habuisse, quam habitas amisisse. **Pu-**
'**vendam Anglis eo magis, quod deserti Ducis exem-**
'**plum processurum sit in orbem terrarum.** Illos a-
'more sui sine sumptibus voluntariam subeuntes fugam,
'domos et facultates suas prædonibus exposuisse, in
'arcto esse victum omnibus, vestitum deesse pluribus:
'probare se **fidem illorum**, sed non reperire salutem,
'adeo jam subjugata terra, observari littora, ut nus-
'quam sine periculo sit exitus. Quapropter conside-
'rent in medium, quid censerent faciendum. Si ma-
'neant, **plus a Civibus cavendum quam ab Hostibus;**
'sor-

(*u*) *Ann.* 1013. *p.* 393. *Huntindon, p.* 452.

(*x*) *De Gestis Regum, l.* 2. *c.* 10. *p.* 69, 70.

Præfat. 8.

'**forsitan enim crucibus suis novi domini gratiam mer-**
'**carentur**; et certè occidi ab hoste titulatur fortunæ,
'**prodi a Cive addicetur Ignaviæ.** Si ad exteras gentes
'fugiunt gloriæ fore dispendium; si ad notas, metuen-
'dum ne cum fortuna colerent animum. Plærosque e-
'nim probos et illustres viros hac occasione cæsos, ex-
'periendum tamen sortem et tentandum pectus *Richar-*
'*di* Ducis Normannorum, qui si Sororem et Nepotes
'non ingrato animo susceperit, se quoque non asper-
'nanter protecturum. Vadabitur enim mihi meam sa-
'lutem conjugi et liberis impensus favor. Quod si il-
'le adversum pedem contulerit, non deerit mihi ani-
'mus, planè non deerit, hic gloriosè occumbere, quàm
'illic ignominiosè vivere.

Hereupon he sends *Emma* his Queen and her children in the moneth of *August* into *Normandy*, accompanied with the *Bishop of Durham*, and Abbot of *Burgh*, where they are joyfully received by Duke *Richard*, who invites *Ethelred* himself to honour his Court with his presence; who thereupon in *January* following passeth over into *Normandy* and there solaceth his miseries with the curteous entertainment he there found. (y) King *Swane* in the mean time provokes invaded *England* with ruines and slaughters, playes the absolute Tyrant, commands Provisions to be abundantly provided for his Army and Navy, **et Tributum fere importabile solvi præcepit**, and likewise commanded an insupportable Tribute to be paid: And the like in all things Earl *Turkell* the *Dane*, commanded to be paid to his Navy lying at *Greenwich*, hired by King *Ethelred* to defend the *English* from Foreiners; yet both of them as often as they pleased preyed upon and pillaged the Country besides, first polling the inhabitants of their goods, and then banishing them. *Provincialium substantia prius abrepta, mox proscriptiones factæ.* In this sad oppressed condition under their New Soveraign, to whom they had submitted themselves, both Nobles and

(y) *Wigorn. Sim. Dunelm. Huntindon, Hoveden, Radul. de Diceto, Polychronicon, Malmesb. l. 2. c. 10. p. 70. Mat. westm. p. 394. Bromton, Knyghton, Fabian, Grafton, Holinshed, Speed, Daniel, Propos. 1, 4.*

and people knew not what to do. *Hæsitabatur totis urbibus quid fieret: si pararetur rebellio, assertorem non haberent; si eligeretur subjectio, placido rectore carerent. Ita privatæ et publicæ opes ad naves cum obsidibus deportabantur.* **Quo evidenter apparet Swanum naturalem et legitimum non esse Dominum, sed atrocissimum Tyrannum,** as *Malmesbury*, *Matthew Westminster*, and others record. But God who is propitious to people in their greatest extremities, suffered not *England* to lye long fluctuating in so many calamities. For this barbarous Tyrant *Swane*, after innumerable evils and cruelties perpetrated in *England* and elsewhere, added this to the heap of his further damnation, that he **Exacted a great** Tribute out of the Town of *St. Edmondsbury*, Anno 1014. which none ever before presumed to doe, since it was given to the Church wherein the body of the precious Martyr St. *Edmond* lieth intombed, *all the lands thereof being exempted from Tributes.* Beginning to vex the possessions of the Church, and threatning to burn the Town and destroy all the Monks unless they speedily paid him *the Tribute he exacted*, and using reproachfull speeches against St. *Edmond*, as having no holiness in him, he was suddenly struck dead and ended his life on the Feast of the Purification of the blessed Virgin, *Anno* 1014. Our Monkish Historians record; That on the Evening of the day whereon he held a general Court at Gogresburgh, reiterating his menaces against the Town, and ready to put them in execution, *for not paying the Tribute demanded*, he saw St. *Edmond* comming alone armed against him, whiles he was invironed in the midst of his Danish Troops; whereupon he presently cried out with great affright and a lowd voice; *Help O fellow Souldiers, help, behold* St. Edmond *comes to slay me*: and whiles he was thus speaking, being grievously wounded with a spear by the Saint, he fell off from his horse, and continued in great torment till night, and so ended

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ded his life, with a miſerable death.

(z) *Swane* being dead, the whole Navy and Nation of the *Danes*, **Elected and made** *Cnute* his ſon **their King and Lord**: but **Majores Natu totius Angliæ**; The **Nobles and Senators of all England** liking nothing leſs than bondage, eſpecially under ſuch new tyrannizing forein Intruders, thinking it now or never the time to ſhake off **their new yoak**, pronounced their **Natural Lord**, to be dearer to them than any Foreiner, *Si regalius ſe quam conſueverat ageret.* Whereupon **with unanimous conſent**, and great joy and ſpeed they ſent meſſengers into *Normandy* to *Ethelred* to inform him; *Nullum eo libentius ſe in Regem recepturos, ſi ipſe vel rectius gubernare, vel mitius eos tractare vellet quam prius tractaverat*: and to haſten his return unto them. Who thereupon preſently ſent over his ſon *Edward, qui fidem Principum, favoremque vulgi præſens ſpecularetur*: who together with his Embaſſadors, aſſured both the Nobles and Commons of the Engliſh Nation; *That he would for time to come be their mild and devout Lord, conſent to their wills in all things, acquieſce in their Counſels; and if he had offended in any kinde, he would reform it according as they ſhould think fit, and with a ready mind pardon whatſoever had been contemptuouſly or diſgracefully ſpoken or acted by them, againſt him or his, if they would all unanimouſly receive him again as their King into the Kingdom.* To which they all gave a favourable and ſatisfactory anſwer: Whereupon a plenary reconciliation was ratified between them on both ſides, both by words and compact. Moreover (a) **The Nobles unanimouſly and freely agreed and voted, That they would never more admit a Daniſh King into England to reign over them.** Theſe things concluded, King *Ethelred* ſpeedily returns into *England*, where he was honourably and joyfully received

Anno 1014.

[z] *Malmesb. Huntind. Hoveden, Wigorn. Sim. Dunelm. Radulphus de Diceto, Mat. Weſtmin. Polychron. Brompton, Fabian, Grafton, Speed, Daniel, Knighton, Proposit.* 1, 5, 6, 8.

(a) *Ad hæc Principes, ſe non amplius Danicum Regem admiſſuros in Angliam unanimiter ſponderunt.*

Florentius Wigornienſis, p. 381. *Henry Huntindon, p.* 433. *Simeon Dunelmenſis, Hiſt. col.* 171.

by the English. And that he might seem to cast off his former sloathfulness, he hastned to raise an Army against *Cnute*, who remaining with his Navy in *Lindesey*, made an agreement with the inhabitants, exacting *men and horses from them*, that he might surprise *Ethelred* at unawares, and threatning grievously *to punish all such as revolted from him*. But *Cnute* being taken in his own craft, (*Ethelred* marching thither with a strong army before he was provided to receive him) fled from thence with his Hostages, Army and Navy to *Sandwich*; whereupon *Ethelred* depopulated all *Lindesey*, wasting the Country with fire and sword, slaying all the Inhabitants (as Traitors to him and their Native Country:) *Cnute*, by way of revenge, **humano et divino Jure contempto** *in insontes grassatus*, cuts off the hands and ears, and slits the Noses of all the most Noble and beautiful Hostages throughout *England*, given to his father, and so dismissing them, sailed into *Denmark* to settle his affairs and augment his forces; resolving to return the year following. After his departure, (*b*) King *Ethelred* this very year. *Super hæc omnia mala Classi quæ apud* Greenwic *tacuit* **Tributum quod erat 30. millia librarum, pendi mandavit**; to wit, to the Fleet under *Turkell* the Dane, who instead of defending, did but help to pillage and oppress the English: *Huntindon* writes, it *was but* 21 *thousand pounds*; and *Bromton* avers, that it was *Cnute*, not *Ethelred*, who commanded it to be paid to his Navy. Soon after which, the Sea rising higher than it was accustomed, drowned an innumerable Company of Villages, people, and cattel.

(*b*) *Sim. Dunelmensis, Florent. wigorn.* p. 382.

Præposit. 1.

After *Cnutes* departure, (*c*) King *Ethelred* summoned a Parliamentary Council at *Oxford*, Anno 1015. both of the *Danes* and *English*. *Malmsbury* expressly stiles it, *MAGNUM CONCILIUM*; *Wigornienſis*, *Hoveden*, *Sim. Dunelmensis*, *MAGNUM PLACITUM*;

Anno 1015.

(*c*) *Malmsbury l.2.c.10. p. 71. wigorn. p.382. Mat. westminster, p. 395. Hoveden, p. 433. Polychronicon, Fabian, Graston, Holinshed, Speed.*

TUM: *Matthew Weſtminſter* and others, *MAGNUM COLLOQUIUM*; our later Engliſh Hiſtorians, a *Great Council and Parliament.* The King by the ill adviſe of that Arch Traytor Duke *Edric* at this Great Council, commanded ſome Nobles of the *Danes* to be ſodenly and ſecretly ſlain, *quaſi de Regia proditione notatos ac perfidia apud ſe inſimulatos*, the chiefeſt of them were *Sygeforth* and *Morcar*, whom *Edric*, treacherouſly invited to his chamber, and there making them drunk, cauſed his armed guards there placed ſecretly to murder them, which they did. Hereupon their Servants endeavouring to revenge their Lords deaths (being *digniores et potentiores ex Seovengenſibus*,) they were repulſed with arms, and forced to flye into the Tower of St. *Frideſwides* Church for ſafety; whence when they could not be forcibly expelled, they were all there burnt together. The King preſently ſeiſed upon their lands and goods (the chief cauſe of their murder, as ſome conceived) and ſent the relict of *Sygeforth* (a very Noble, beautifull and vertuous Lady) priſoner to *Malmsbury*: whither *Edmond* (the Kings baſe Son, as ſome affirm,) poſted without his fathers privity, and being enamored with her beauty, firſt carnally abuſed, then afterward maried her; and by her advice forcibly invaded and ſeiſed upon the Lands of her husband and *Morcar*, which were very great, and the Earldom of *Northumberland*, which his father denied him upon his requeſt: Whereupon all the Inhabitants of that County readily ſubmitted to him. Whiles theſe things were acting, (*d*) *Cnute* having ſetled his affairs in *Denmark*, and made a League with his neighbour Kings, recruited his Army and Navy, and returned into *England*, with a reſolution, *either to win it, or to loſe his life in the attempt.* Ariving firſt at *Sandwich*, and ſailing thence to the Weſt, he pillaged *Dorſetſhire*, *Somerſetſhire*, and *Wiltſhire*, filling all places with ſlaughters and plunders. King *Ethelred* lying then ſick at *Coſham*, his

(*c*) *Malmsbury*, *Higorn. Sim. Dunelm. Radulphus de Diceto*, *Huntindon*, *Hoveden*, *Bromton*, *Polychronicon*, *Fabian*, *Holinſhed*, *Grafton*, *Speed*, *Daniel*.

his son *Edmond Ironside*, and Duke *Edric*, raised an Army against *Cnute*; but when both their forces were united to fight him, the old perfidious Traytor *Edric* endeavoured by all means to betray *Edmond* to the *Danes*, or treacherously to slay him; which being discovered to *Edmond*, thereupon they severed their forces from each other, and gave place to the Enemies without giving them battel. Not long after *Edric* inticing to him 40 of the Kings ships furnished with *Danish* Mariners and Souldiers, openly revolted, and went with them to *Cnute*, subjecting himself to his dominion as his Soveraign: by whose example all *West-Sex* submitted to him as their King, delivering him hostages for their fidelity, resigning up all their arms to him, and providing both horse and arms for his *Danish* Army. The *Mercians* offred themselves alone to resist the *Danes*, but through the Kings sloathfulness, the business of war received delay, and the enemies proceeded in their rapines without opposition.

Anno 1016. In the year 1016. King *Cnute*, and treacherous Duke *Edric*, came with 200 sail of ships into the river of *Thames*, whence they marched by land with a great Army of horse and foot, and invaded *Mercia* in an hostile manner, burning all the Towns and Villages, and slaying all the men they met with in *Warwickshire* and other places; whereupon King *Ethelred*, (as *Huntindon*, *Wigornienſis*, and others record) made an Edict, *Ut quicunque Anglorum ſanus eſſet, ſecum in bello procederet*, That every Englishman who was in health, should go with him in battel against the *Danes*. An innumerable multitude of people upon this assembled together to assist him: But when his and his son *Edmonds* forces were conjoyned in one body, the King was informed, that some of his auxiliaries were ready to betray and deliver him up to the enemies, unless he took care to prevent it and save himself: and as some write, the *Mercians* refused to fight,

Propoſit. 3, 8.

fight with the *West-Saxons* and *Danes*; whereupon the expedition was given over, and every man returned to his own home. After this *Edmund Ironside* raised a greater Army than before against *Cnute*, and sent Messengers to King *Ethelred* to *London*, to raise as many men as possible he could, and speedily to come and joyn with him against the *Danes*; but he, for fear of being betrayed to the Enemy, presently dismissed the Army without fighting, and returned to *London*. Hereupon *Ed. Ironside* went into *Northumberland*, where some imagined he would raise a greater Army against *Cnute* the *Dane*; but he and *Uhtred* Earl of *Northumberland*, instead of incountring *Cnute*, wasted the Counties of *Stafford*, *Shrewsbury* and *Leicester*, *because they would not go forth to fight against the Danes Army, in defence of their Country and King.* *Cnute*, on the other side wasting with fire and sword the Counties of *Buckingham*, *Bedford*, *Huntindon*, *Northampton*, *Lincoln*, *Nottingham*, and after that *Northumberland*: Which *Edmond* being informed of, returned to *London* to his Father, and Earl *Uhtred* returning home, **being compelled by necessity**, repaired to *Cnute*, and submitted himself to him, with all the *Northumbrians*, making a Peace with him, and giving him hostages for performance thereof, and for his and their fidelity. Not long after *Uhtred* and *Turketel*, Earls of *Northumberland*, were both treacherously slain by *Turebrand* a *Dane*, by *Cnutes* command or Commission. Which done, *Cnute* made one *Hire* (some stile him *Egric*) Earl of *Northumberland* in his place; and then returned with all his army to his Ships in triumph, a little before the feast of *Easter*, with a very great booty. Not long after, King *Ethelred* (born to troubles and mischief,) after manifold labours, vexations, treacheries, and incessant tribulations, ended his wretched life in *London*, where he died *May* 9th. *Anno* 1016. being there buried in St. *Pauls* Church, finding rest in his Grave by death, which

Propos. 8.

which he could never find in his Throne all his life, having attained it by Treachery, and his Brothers, Soveraigns murder * *whose Ghost* (as *Malmesbury* and others write) *did perpetually vex and haunt him all his reign*, and made him so subject to, and fearfull of plots and treacheries, that he knew not whom to trust, nor ever deemed himself secure, even in the midst of his oft raised Armies, Nobles, People, though ready to adventure their Lives for his defence.

* *Exagitabant illum umbræ fraternæ, diras exigentes inferias, &c. Malmesbury De Gestis Reg. l. 2. c. 10.*

I have related these Passages of the *Danish* wars and invasions during *Ethelreds* reign, more largely than I intended. 1. Because on the Englishmens parts, they were meerly defensive of their Native Country, King, Laws, Liberties, Properties, Estates, Lives against forein Invaders and Usurpers. 2ly. Because they more or less relate to my forementioned Propositions, touch the fundamental Rights, Liberties, Properties, of the English Nation. 3ly. Because they shew forth unto us the true original grounds, causes, motives, necessities, and manner of granting the very first Civil Tax and Tribute mentioned in our Histories, by the King and his Nobles, in their General Councils, to the Danish invaders, to purchase peace, and the true nature, use of our antient *Danegelt*, and rectifie some mistakes in our common late *English* Historians.

Immediately after King *Ethelreds* decease [e] **Episcopi, Abbates, Duces, et quique Nobiliores Angliæ in unum congregati** (as *Wigorniensis, Hoveden, Simeon Dunelmensis, Radulphus de Diceto, Bromton*) Or, **Maxima pars Regni, tam Clericorum quam Laicorum in unum congregati** (as *Matthew VVestminster*) Or, **Proceres Regni cum Clero,** (as *Knyghton* expresses it) **Pari consensu in Dominum et Regem Canutum eligere:** All the Bishops, Abbots, Dukes and Nobles of *England*, and the greatest part of the chief Clergy and Laity, assembled together (in a kind of

Anno 1016.
(e) *Florentius Wigorn. p. 384. Huntind. pars 1. p. 434. Sim. Dunelm. Hist. col. 173. Radulph. de Diceto Abbrev. Chron. col. 446. Chron. Jo. Bromton, col. 903. Henry de Knyghton de Eventib. Angl. l. 1. c. 2. Polychron. Malmsb. Mat. westm. Fabian, Speed, Spelm.*

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Parliamentary Council [illegible] unanimous consent elected *Cnute* for their Lord and King (notwithstanding their solemn Vow and Engagement but the year before, *never to suffer a Danish King to reign over them*) Whereupon they all repaired to *Cnute* to *Southampton* (f) **omnemque Progeniem Regis Ethelredi, coram illo abhorrentes, et abnegando repudiantes** (as *Wigorniensis*, *Huntindon*, *Knyghton*, and others record) and there in his presence abhorring and utterly renouncing and abjuring all the Progeny of King *Ethelred*, they submitted themselves, and swore fealty to him, *as to their only King and Soveraign*, he reciprocally then swearing unto them, *That he would be a faithfull Lord unto them, both in things appertaining to God and the World*, which our Historians thus express. *Quibus ille juravit, quod & secundum Deum, & secundum seculum fidelis illis foret Dominus.* Only the City of *London*, and **part of the Nobles** then in it, unanimously chose and cryed up *Ed. Ironside*, King *Ethelreds* 3. son, by *Elgina* his first Wife, Daughter to Duke *Thored*, as *Speed* and others relate, though *Matthew Westminster*, and others register his birth, *Non ex Emma Regina, sed ex quadam ignobili fœmina generatus, qui utique matris suæ ignobilitatem generis mentis ingenuitate & corporis streuuit te redintegrando redemit.* After *Edmonds* election, he was crowned King by *Liuing* Archbishop of *Canterbury*, at *Kingston* upon *Thames* (where our Kiugs in that age were usually crowned.) No sooner was he thus advanced to the Regal dignity, but he presently marched undauntedly into *VVest-Sex*, and being there received **by all the People**, with great gratulation and joy, he most speedily subjected it to his Dominion. Which being divulg'd in other parts, many Counties of *England*, deserting *Cnute*, voluntarily submitted themselves unto him, such is the fickleness of the People, & unconstancy of worldly power and affairs. (g) *Cnute* in the mean time

(f) *Wigorn. c.* 304. *Hoved. Annal. pars* 1. *p.* 434. *Sim. Dunelm. col.* 173. *Bromt. col.* 903. *Henry de Knyght. de Eventib. Angl. l.* 2. *c.* 2. *col.* 2315. *Ailredus de vita & mirac. Edward. col.* 374. *Sec. Polyc. Fab. Holinshed. Graft. Speed.*

Proposit. 8.

(g) *Malmesb. Huntind. Vvigorn. Sim. Dunelm. Mat. VVestm. Radulph. de Diceto. Bromt. Polychron. Fab. Caxton, Grafton, Holinsh. Speed, Daniel, and others in the life of Edmond Ironside & Cnute,*

time to be revenged of the *Londoners* for making *Edmond* King, marched to *London* with his whole Army and Fleet, beſieged and blocked up the City with his Ships, drawn up the *Thames* on the Weſt-ſide of the Bridge, and then drew a large and deep trench round about the City, from the Southſide of the River, whereby he intercepted all ingreſs and egreſs to the Citizens and others, whom he ſhut up ſo cloſe, that none could go in or out of the City, and endeavoured by many ſtrong aſſaults to force it: but being ſtill repulſed by the Citizens, who valiantly defended the walls, he left off the ſiege with great confuſion and loſs, as well as diſhonor. Thence he marched with his Army into *Dorſetſhire*, to ſubdue it: Where King *Edmond* meeting him with ſuch forces as he could ſuddenly raiſe, gave him battel at *Penham* near *Gillingham*; where after a bloudy and cruel encounter, he put *Cnute* and his Army to flight, and ſlew many of them. Not long after, they recruiting their forces, both Armies meeting at *Steorſtan*, King *Edmond* reſolving there to give *Cnute* battel, placed the moſt expert and valianteſt of his Souldiers in the front; and the reſt of the Engliſh who came flocking in to him, he kept for a reſerve in the rear. Then calling upon every of them by name, he exhorted and informed them, **That they now fought for their Country, for their Children, for their Wives, for their Houſes and Liberties**, inflaming the minds of his Souldiers with his excellent Speeches; in this battel with the Enemy, he exerciſed the Offices of a valiant Soldier, and good General, charging very couragiouſly; But becauſe that moſt perfidious Duke *Edric*, *Almar*, and *Algar*, and others of the great men, who ought to have aſſiſted him with the Inhabitants of *Southampton*, *Wiltſhire*, and innumerable other *Engliſh*, joyned with the *Danes*, the battel continued all day, from morning to night, with equal fortune, till both ſides being tired out, and many

many of each party ſlain, the night conſtrained them to march one from another. But their bloud not being cold, the next day they buckled together again, with no leſs courage than before; till at laſt, in the very heat of the battel, the moſt perfidious Duke *Edric* perceiving the *Danes* like to be totally routed, and the Engliſh in great forwardneſs of victory, cut off the head of a Souldier named *Oſmeranus*, very like to King *Edmund* both in hair and countenance, and ſhaking his bloody ſword, with the half gaſping head in his hand, which he lifted up on high, cryed out to the Engliſh Army: *O ye* Dorſetſhire *men*, Devonſhire men, *and other Engliſh, flee and get away, for your head is loſt; behold here is the head of your King* Edmund, *which I hold in my hand, therefore haſten hence with all ſpeed, and ſave your lives.* Which when the Engliſh heard and ſaw, they were more affrighted with the atrocity of the thing, than with the belief of the Speaker: whereupon all the more unconſtant of the Army were ready to fly away. But *Edmond* having preſent notice of this treacherous ſtratagem, and ſeeing his men ready to give over the fight, haſted where he might be beſt ſeen, and poſting from rank to rank, encouraged them to fight like Engliſhmen: who thereupon reſuming their courage, charged the *Danes* more fiercely than before; and bending their force againſt the Traytor, had ſhot him to death, but that he retreated preſently to the Enemy, the Engliſh reviving, and manfully continuing the battel again till the darkneſs of the night cauſed both Armies voluntarily to retreat, from each other into their Tents. When much of the night was ſpent, *Cnute* commanded his men in great ſilence to break up their Camp, and marched to his Ships, and ſoon after, whiles King *Edmond* was recruiting his Army in *Weſt-Sex*, beſieged *London* again: whereupon *Edmond* marching to *London* with a ſelect company of Souldiers, chaſed *Cnute* and his Army to their ſhips, re-

removed the siege, and entred the City in manner of Triumph. *Cnute* and *Edric* perceiving the valour and good success of *Edmond*, conspired together, to overcome him by *Treason*, whom they could not vanquish by *Armes*; for which end, *Edric*, before King *Edmonds* march to *London* (as some) or soon after, as others relate, feignedly revolted from *Cnute*, and submitted himself again to *Edmond*, as his natural Lord: and renewing his peace with him, *fraudently swore that he would continue faithfull to him, only that he might betray him.* *Edmond*, two days after he had chased the *Danes* from the siege of *London*, pursuing his victory, passed over the *Thames* at *Brentford*, where, though many of the *English* were drowned in passing over the River, through their carelesness, yet he there fought with the *Danes* the fourth (or rather fifth) time, routed them, and won the field. After which, *Edmond*, by the advice of *Edric*, marched again into *West-Sex*, to raise a more numerous Army, to supply those who were drowned and slain in this last battel: Upon which advantage, the *Danes* again returned to the siege at *London*, inironing, and fiercely assaulting it on every side; but being valiantly repulsed by the Citizens, they retired from thence to their ships, and sailed into the River of *Arewe*; where leaping out of their ships, they went about pillaging in *Mercia*, killing all they met, and burning the Villages, returning to their ships with a great booty: Another company of their foot sailing up the River of *Meadway*, pillaged *Kent*, their Horse marching thither by Land to meet them, doing the like, wasting all places with fire and sword. King *Edmond* having in the mean time raised a strong Army out of all *England*, passed over with them again at *Bremford*, to fight the *Danes*, and giving them battel near *Oteford*, routed the whole Danish Army, not able to endure his fierce charge, and pursued them as far as *Ilesford*, slaying many thousands of them in the pursute; and had

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he followed the purſute further, it was conceived that day had put an end to the war and *Danes* for ever. But perfidious Duke *Edric* by his moſt wicked Counſel (the worſt ever given in *England*) cauſed him to give over the chace. Whereupon the flying *Danes* eſcaped into the Iſle of *Shepy*. *Edmond* returning into *VVeſt-Sex* to obſerve *Cnutes* motion, he thereupon tranſported his forces into *Kent*, who began to plunder and waſt *Mercia* far worſe than ever they had done before: VVhereupon King *Edmond* marching with his Army againſt them, gave them battel the ſixt time, at *Eſſedunne*, (or *Aſſendune*) now *Aſhdune* in *Eſſex*; where after a long and bloody fight, with equall valour, and great loſs on both ſides: King *Edmond* ſeeing the *Danes* to fight more valiantly than ever before, leaving his place (which uſually was between the Dragon and Standard) ran into the very front of the battel, and breaking in like thunder upon the Enemy, brake their ranks, pierced into the very midſt of them, and made way for others to follow him, forcing the *Danes* to give back; VVhich the ever traiterous *Edric* perceiving, fled with the whole Squadron of Souldiers which he commanded, unto *Cnute*, as was formerly agreed between them, whereupon the *Danes* becoming the ſtronger, made an extraordinary ſlaughter of the *Engliſh*; as *Matthew VVeſtminſter* and his followers ſtory. *Henry Huntindon* relates, That *Edric* ſeeing the *Danes* going to ruine, cryed out to the *Engliſh* Army, *Fly O Engliſhmen, fly Engliſhmen, for* Edmond *is dead* (being not ſeen in his wonted place) and crying out thus, he and his Brigade firſt began the flight; whereupon the whole Army of the *Engliſh* following them, fled likewiſe. *VVigornienſis* informs us; that King *Edmond* before this battel, riding about to every Company, admoniſhed and commanded them, *that being mindfull of their priſtine valour and victory, they ſhould defend themſelves and the Realm from the avarice of the* Danes, *being*

now to fight with those they had formerly conquered. That perfidious Duke *Edric* seeing the *Danish* army inclining to flight, and the *English* about to gain the victory, began to fly with the *VVagesetensians*, and that part of the army which he commanded, as he formerly promised to *Cnute*, that circumventing his Lord *King Edmond* and the *English* army with deceits, he gave the victorie to the *Danes* by his treacherie; and by the consent of all our VVriters, *he here gave the greatest wound to the English Nobility and Nation that ever they received in any former battel, Duke* Alfric, *Duke* Godwin, *Duke* Ulfketel, *Duke* Æthelward, Ailward *son of Duke* Alke, *and all the flower of the English Nobility, together with* Eadnoth *Bishop of* Lincoln, *and Abbot* VVulfius, (qui ad exorandum Deum pro milite bellum agente convenerunt) with an infinite number of common Souldiers being there slain in this fight and flight: *qui nunquam ante in uno prælio tantam cladem ab hostibus acceperunt. Ibi* Cnuto *Regnum expugnavit, ibi omne decus Anglorum occubuit, ibi flos patriæ totus emarcuit*, VVrites *Malmesbury*, *Cnute* likewise on his side sustained an irreperable loss, both of his Dukes and Nobles.

After this lamentable loss, wherein so many Nobles fell, *Cnute* marching to *London* in triumph, took the Royal Scepters; whence departing into *Gloucestershire*, in pursute of *Edmond* (who retreated almost alone to *Gloucester*, and there recruited his broken forces) he wasted and pillaged the Country in his march. King *Edmond* resolved to give him another battel in a place called *Dierhurst*; where *Edmond* with his army being on the VVest-part of the River Severn, and *Cnute* on the East side with his army, both set in battel array, ready manfully to encounter each other, wicked Duke *Edric*, **magnatibus convocatis**, calling the Nobles of both parties together, spake unto them as followeth, as *Matthew VVestminster*, and others accord, before any incounter; but Abbot *Ethelred* records, that both

both Armies then fought a moſt bloudy battel for one whole day from morning to night, an innumerable Company being ſlain on both ſides, without any Victory; the night only cauſing them to retire, *ad ſimilem ludum eundemque exitum die craſtina reverſuri.* Both Armies being wearied with this bloudy ſport, when they ſaw King *Edmonds* forces daily increaſing, and *Cnutes* company likewiſe augmented out of foreign parts, by conſtant recruits, which he cauſed to be ſent from thence, **Uterque Exercitus Proceres ad colloquium cogunt**; both armies compelled their Nobles to a Conference; where one of them, being elder than the reſt (which others affirm to be Duke *Edric*) requiring ſilence, ſpake thus unto them, as (*b*) *Abbot Ethelred* records his words.

(*b*) *Ethelredus Abbas, De Geneal. Regum Angl. coll.* 363, 364. *Polychronicon, l.* 6. *c.* 17.

'I deſire, O wiſe men, in theſe our dangers to give 'advice; who verily am inferiour to you in wiſdom, 'but ſuperiour to you in age, as theſe gray hairs teſtify. 'and peradventure what wiſdom hath not, uſe hath 'taught me, and what ſcience hath denied, experience 'hath conferred. Many things verily we have ſeen and 'known, many things moreover our Fathers have told 'us, and not without cauſe we require audience, that 'we may utter no doubtful ſentence of things certain 'and apparent. A perillous thing is acted; we ſuffer 'evil things, we diſcern worſer, we fear the worſt of 'all. We fight daily, neither do we overcom, nor 'yet are we vanquiſhed; yea we are overcome, and 'yet no man vanquiſheth. For how are we not over-'come, who are wounded, who are oppreſſed, who are 'wearied, who are diſtreſſed by forces, who are ſpoiled 'by arms? Neither flie we, ſince there is none who may 'aſſault us; neither do we aſſault, ſince courage fails 'on both ſides. How long ſhall it be, ere we ſee an 'end of theſe wonderfull things? When ſhall there be 'reſt from this labour, tranquillity from this ſtorm, ſe-'curity from this fear? Certainly *Edmond* is invincible

'by reason of his wonderful fortitude; and *Cnute* also 'is invincible by reason of fortunes favour. We are 'broken in pieces, we are slain, we are dissipated, we 'lose our dearest pledges, we expose our sweet friends 'and alliances to death. But of this labour what fruit? 'what end? what price? what emolument? what I pray, 'but that the souldiers being slain on both sides, the 'Captains at last compelled by necessity, may com-'pound? or verily fight alone, without a Souldier? Why 'then not now? Truly while we live, while we breath, 'whiles the Army remains this might be done more 'profitably, honestly, securely. I demand, what insolence 'yea violence, yea madness is this? *England* hereto-'fore when subjected to many Kings, both flourished 'in glory, and abounded in riches. O ambition! how 'blind is it alwaies, which coveting the whole, lo-'seth the whole? Why I pray, doth not that now suf-'fice two, which heretofore was sufficient for five 'Kings? But if there be in them so great a lust of do-'mineering, that *Edmond* disdains a Peer, *Cnute* a Su-'periour, *PUGNENT, QUÆSO, SOLI, 'QUI SOLI CUPIUNT DOMINA-'RI: CERTENT PRO CORONA 'SOLI, QUI SOLI CUPIUNT INSIG-'NIRI*; let them fight, I beseech you, alone, 'who desire to domineer alone; let them con-'tend for the Crown alone, who desire to be crow-'ned alone. Let the Generals themselves enter into 'the hazard of a Duel, that even by this means one of 'them may be vanquished; lest if the Army should 'fight more often, all being slain, there should be no 'souldiers for them to rule over, nor any who may de-'fend the Realm against Foreiners.

Whiles he was about to speak more, ALL THE PEOPLE, shut up his Speech in the midst of his Jaws, if I may so speak, crying out and saying, *AUT PUGNENT IPSI AUT COMPONENT*, let them fight them-

themſelves, or let them compound. His Speech recorded in *Bromton*, *Hen: de Knyghton*, *Speed*, and others, is much to the ſame effect, though different in ſome expreſſions.

(i) *Matthew Weſtmininſter* brings in *Edric* ſpeaking only, thus to the Nobles. *O inſenſati Nobiles, et armis potentes! cur toties morimur in bello pro Regibus, cum ipſi nobis morientibus, nec regnum obtineant, nec avaritiæ ſuæ finem imponant. Pugnent conſulto, ſingulariter, qui ſingulariter regnare contendunt. Quæ eſt iſta regnandi libido, Quod Anglia modo duobus non ſufficit, quæ olim octo regibus ſatis fuit? Itaque vel ſoli componant, vel ſoli pro regno decertent. PLACUIT AUTEM HÆC SENTENTIA OMNIBUS, ET AD REGES PROCERUM DELATUM ARBITRIUM, ILLI CONSENTIENDO APPROBANT.* Hereupon all the Nobles concurring in this opinion, both Kings approving their Determination, fought a royal ſingle duel, firſt on horſeback, then on foot, in the Iſle of *Olerenge*, or *Olney*, (near *Gloceſter*) in the midſt of *Severn*, in the view of both their Armies, with extraordinary courage, and equall ſucceſs, till they were both quite tyred, but neither of them vanquiſhed: At laſt upon *Cnutes* motion they began to parly in a friendly manner; *Cnute* ſpeaking thus to *Edmond*. *Hitherto I have been covetous of thy Realm, now moſt valiant of men, I am verily more deſirous of thy ſelf, whom I ſee, art to be preferred, I ſay, not before the Realm of* England, *but the whole world it ſelf.* Denmark *hath yielded to me*, Norwey *hath ſubjected it ſelf to me, the King of* Swedes *hath given me his hand, and thy admirable Valour hath more than once fruſtrated the force of my aſſaults, which I believed no mortal man could have been able to ſuſtain. Wherefore although fortune hath promiſed that I ſhould be every where a Conquerer, yet thy admirable valour hath ſo allured me to favour, that I above meaſure deſire thee both for a friend and conſort of my kingdome: would to God that thou alſo maiſt be as deſirous of me, that I may reign with thee in*

(i) *Matthew Weſtmininſter* p. 400. *Anno* 1016.

England,

England, *and thou maist reign with me in* Denmark. *Truly, if thy valour shall be united to my fortune*, Norway *will fear, and* Sweden *will quake*: France *it self, accustomed to warrs, will tremble. In brief*, Edmond *and* Cnute *both consent to divide the Kingdom*: Edmond *yielding to words, who had not yielded to swords, being overcome with this Oration, who could not be overcome with arms; whereupon, laying aside their arms, they run and mutually imbrace and kiss each other, both Armies rejoycing, and the Clergy singing* Te Deum laudamus, *with a lowd voice.* Afterwards in testimony of Agreement, they change clothes and Arms with each other, and returning to their Armies, prescribed the manner of the Agreement and Peace. *Wigornienſis*, *Simeon Dunelmenſis*, and * *Roger Hoveden* add, that they ratified the agreement with Oaths, *TRIBUTOQUE QUOD CLASSICÆ MANUI PENDERETUR STATUTO*; and *appointed a Tribute which should be paid to the Sea forces, and then departed from each other.* The *Danes* returned with the great booty they had gotten to their ships, with whom the Citizens of *London* having made a peace, *DATO PRECIO*, which they paid a *price for, they permuted them there to winter.* The Realm was divided between them both, but the Crown remained to *Edmond*, with the City of *London*, *Eſſex*, *East-England*, and all the Land on the Southside the River of *Thames*, and *Cnute* enjoyed the North parts of *England*, by mutual consent and agreement of all the Nobles; and so this bloudy warr between them (after 7. or 8. battels, within so many moneths space) ceased.

* *Annal. pars prior, p.436.*

Propoſit. 159.

Soon after this fatal Agreement and partition of the Realm, which made *Edmond* but half a King, and *England* half *Denmark*, that ever trayterous Duke *Edric*, to ingratiate himself the more with *Cnute*, treacherously murthered King *Edmond* at *Oxford*, of which there are 3. different relations in our Historians. (*l*) Some say that he corrupted the Kings Chamberlains with gifts

(*l*) *William Malmsbury, de Geſtis Regum, l.2. c. 10,11. Hen. de Knyghton, de Eventibus Angliæ.*

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to murder him in his bed: and that King *Cnute*, in the first year of his Coronation, caused all of them who had conspired his death by *Edric's* exhortation to come before him, where they declared to the King the Treason they had committed against King *Edmond*, expecting a large reward for it. Whereupon the King sent for the Great Men and Nobles of the Realm, and made the Traitors to acknowledge their Treason before them, and a great assembly of people; fearing lest otherwise it should be believed that he had foreplotted the Treason aforesaid, and suborned them to execute it. After their publick confession thereof, he caused them all to be first drawn, and then hanged for it. (*l*) Others write, that *Edric* himself, or his Son by his command, murdered him at *Oxford* on St. *Andrews* night as he was easing nature in an house of Office, stabbing him into the bowels with a two-edged knife through the hole of the privy, (in which one of them lay in wait to murder him) leaving the knife sticking in his bowels, and him dead in the place: And some write, that he *placed an Image in his Chamber with a bow and arrow ready bent; which* Edmond *admiring at, touching the spring which held the bow thus bent, the arrow thereupon pierced & slew him in the place.* That before his death was known, *Edric* went to *Edmonds* wife, and taking away her two young Sons from her, brought and delivered them to *Cnute*; and then saluted him, saying; GOD SAVE THEE SOLE KING OF *ENGLAND*. Whereupon *Cnute* demanding, Why he saluted him in this manner? He then informed him of King *Edmonds* death, and how he had murdered him of purpose to make him sole King of *England*. *Speed* adds, *That he cut off his Soveraigns head*, presenting it to *Cnute* with these fawning salutations, *All hail thou sole Monarch of England, for here behold the head of thy Copartner, which for thy sake I have adventured to cut off*: which no antient Historian mentions. Upon this, *Cnute*,

(*m*) *Hen. Huntindon, Hist. l. 6. p. 363. Radulphus de Diceto, Ymagines Hist. & Mat. westm. Flores Histor. Anno 1016. Polychron. l. 6. c. 17, 18. Chronicon Johan. Bromton, col. 906, 907, 908.*

though ambitious enough in Soveraignty, yet out of a Princely disposition, sore grieved at such a disloyal treacherous act, presently replyed to him, *If for reward of so great and meritorious a service done for me, will nhis day advance thee above all the Nobles of the Realm*; After which he caused his head to be cut off, then fixed on an high poll, and placed on the highest Tower of *London*, for the birds to prey upon. (*m*) Others more agreeable to the truth, relate; That *Cnute* in the first year of his reign depriving this Arch-Traitor *Earic* of the Dukedom of *Mercia*, which he had many years enjoyed; thereupon *Edric* in the feast of Christs Nativity, repaired to *Cnute* at his Palace in *London*, to expostulate with him about it: where checking the King over-harshly, he upbraided him with the many benefits he had received from him, amongst which he mentioned two, wherewith he specially provoked him to anger; saying, *Most dear King, you ought not to speak harshly to me, nor suffer any evil to be done unto me; for you had never enjoyed the Realm of* England, *but by my means. For out of love to thee, I have first betrayed King* Ethelred; *after that I deserted* Edmond *my proper and natural Lord; and afterwards I foreplotted his death, and murdered my just and true liege Lord, out of my fidelity towards thee, to bring the whole kingdom unto thee: and dost thou so lightly vilify so great love conferred on thee, for which I never received any benefit or profit from thee?* At which speeches, *Cnute* changing his countenance, expressing his fury by its redness, presently pronounced this sentence against him, saying: *And thou shalt deservedly die, thou most perfidious Traitor, seeing by thy own confession thou art guilty of Treason both against God and me, who hast slain thine own Soveraign and natural King, and my dear confederate Brother. His bloud be upon thy head, because thou hast stretched out thy hand against the Lords anointed.* And lest a tumult should be raised among the people, he commanded him to be there presently

(*m*) *Ingulphi Hist. p. 892. Florent. Wigorn. Mat. westmin. Simeon Dunelm. Hoveden, Anno 1016, 1017. Chron. Johan. Bromton col. 907, 908. Hen. de Knyghton de Evenib. Angliæ, l. 2. c. 2, 3. Radulphus de Diceto Abbreviationes Chronicorum.*

Propos. 8.

ſently ſtrangled in his palace, and his body to be caſt through a window into the river of *Thames*, to be devoured of the fiſhes, as ſome, or hanged upon *London* walls unburied, to be devoured by birds, as others ſtory. At which time (*n*) Duke *Norman*, ſon of Duke *Leofwin*, (Captain of *Edrics* guard) *Æthelward* ſon of Duke *Agelmar*, and *Brihtricus* ſon of *Alphege* Earl of *Devonſhire*, with many others of *Edrics* followers were likewiſe ſlain without offence, together with *Edric*; becauſe *Cnute* feared he ſhould one time or other be circumvented by the treacheries of this old perfidious Traitor, hearing his former natural Lords *Ethelred*, and *Edmond* had frequently been betrayed by him, *quorum diutina proditione alterum vexavit, alterum interfecit*; there being no truſt to be repoſed in ſuch a Traytor to his Soveraigns. Thus this inveterate Arch-Traitor to his Natural Country, Kings, and bloudy Regicide, by Gods divine Juſtice received the juſt puniſhment of all his Treaſons at the laſt, inſtead of expected great rewards, from that hand he leaſt ſuſpected. Whence (*p*) *Matthew Weſtminſter* relating both the Hiſtories of the manner of *Edrics* death, concludes thus, *Sed ſive ſic, ſive aliter vitam finierit* **Proditor Edricus**, *non multum ad rem pertinet; quia hoc liquido conſtat*, **Quod ille qui multos circumvenerat, tandem eſt juſto Dei Judicio circumventus, et proditionis ſuæ meruit ſubire talionem**: And let all thoſe who have or ſhall imitate him in his Treaſons againſt his native Country, Kings, and Regicide, ſeriouſly meditate on his tragical end, and expect the ſelf ſame retribution in concluſion, though they eſcape as many years as he then did before final execution.

(*n*) *Ingulphi Hiſtoria*, p. 891, 892.

(*o*) *Anno* 1017. p. 402.

A third ſort of Authors, as *Marianus Scotus*, *Wigornienſis*, *Roger Hoveden*, and *Simeon Dunelmenſis*, make no mention of King *Edmonds* murder by *Edric* his ſubordination, but only that he died at *London*, (not *Oxford*) about the Feaſt of St. *Andrew*;

as if he had died of a naturall death; but the generality of Writers agree, he was *murdered at Oxford*, *ambiguum quo casu extinctus*, writes (*p*) *Malmesbury*; the common fame being he was murdered, by *Edric* as aforesaid. And *Bromton*, who recites all three opinions, concludes thus, *Sed primus modus, videlicet, quod rex* Edmundus, *ad requiem naturæ sedens, proditione dicti* Edrici *occisus fuit, verior aliis et autenticior habetur.* The Author of the Encomium of *Emma*, concurring with *Marianus*, subjoynes this Observation touching his short reign and speedy death: *That God, &c. minding his own doctrine*, That a kingdom divided in it self cannot long stand, *and pitying the English*, took away *Edmond*, lest if *the Kings had continued long together, they should have both lived in danger, and the Realm in continual trouble.* His reign continued onely seven moneths, in which time he fought seven or eight battels in defence of his Country, People, and their Liberties, besides his single Duel with *Cnute*: and by his untimely death, the English-*Saxon Monarchy* was devolved to the *Danes*, who by Treachery and the Sword for three descents, deprived the English Saxons of the Crown and Kingdom, through divine retaliation, as they had unjustly by treachery and the Sword dispossess'd and disinherited the *Britons* thereof, about 450 yeares before, as (*q*) *Henry Huntindon*, (*r*) *Bromton*, (*s*) *Radulphus Cistrensis*, (*t*) *Mr. Fox*, (*u*) *Speed*, and others observe. *The Sinnes of the* Saxons *grown now to the full*, (writes Speed) *and their dreggs as it were sunk to the bottom, they were emptied by the* Danes *from their own vessels, and their bottles broken, that had vented their red and bloudy wines*; in lieu whereof the Lord *gave them the cup of wrath, whose dreggs he had formerly* (*by their own hands*) *wrung out upon other Nations. For the* Saxons, *that had enlarged their Kingdomes by the blood of the* Britons,

(*p*) *De Gestis Regum, l.2. c. 10. p.72. Chron. Johan. Bromton col. 906, 907.*

(*q*) *Histor. l.6. p.359.*

(*r*) *Chron. col. 883.*

(*s*) *Polychron. l. 1, c. 59 f. 56.*

(*t*) *Acts and Monuments, vol. 1. p. 222.*

(*u*) *History of Great Britain, p. 394. to 398.*

tons, *and built their nests high upon the Cedars of others*, (as the Prophet speaketh, Habbak. 2.) *committed an evil contousness to their own habitations, and were stricken by the same measure that they had measured to others, when as the Danes often attempting the Lands invasion, and the subversion of the English Estate, made way with their Swords through all the Provinces of the Realm, and lastly, advanced the Crown upon their own helmets*, which they wore only for three Successions.

CHAP. IV.

Comprising a Summary Collection *of all the* Parliamentary Great Councils, Synods, Historical Passages, Proceedings, Lawes, *relating to the* Fundamental Liberties, Franchises, Rights, Government of the People, *and other remarkables, under our* Danish Kings, Cnute, Harold, *and* Harde-Cnute; *from the year of our Lord* 1017. *till the first year of King* Edward *the* Confessor, *Anno* 1042. *With some brief Observations on the same.*

IMmediately after the murder of King *Edmond Ironside*, King *Cnute* the Dane, Anno 1017. taking possession of the whole Realm of *England*, was solemnly (*a*) *crowned King* at *London*, by *Living* Archbishop of *Canterbury*, succeeding in the Realm of *England*, *Non successione hereditaria, sed* **Armorum violentia**, as (*b*) *William Thorne* observes: **Injuste quidem Regnum ingressus,** *sed magna civilitate et fortitudine viam componens*, writes (*c*) *William* of *Malmsbury*. Whereupon, the better to fortifie his *Military Title*, with a seeming *publick Election*, by the *Nobles and Nation* in a Parliamentary Council, and their open disclaimer and renunciation of any Right or Title either in King *Edmonds* Sons or Brethren, to the English Crown,

Anno 1017.
(*a*) *Holinshed, Grefton, Speed, and others in his life, Radul. de Diceto, Abbrev. Chron. col.* 466. *Chron. Jo. Bromton, col.* 906.
(*b*) *Chronica, col.* 1782.
(*c*) *De Gestis Regum Angl. l.* 2. *c.* 11. *p.* 73.

Crown, to ſettle it in perpetuity on himſelf and his poſterity; he (*d*) commanded **all the Biſhops, Dukes, Princes and Nobles of the Engliſh Nation to be aſſembled together at London in a Parliamentary Council:** Where when they were all met together in his preſence, he moſt craftily demanded of them, as if he were ignorant, *Who were the Witneſſes between him and* Edmond Ironſide *when they made their agreement, and diviſion of the Kingdom between them? What manner of conference there then was between him and* Edmond, *concerning his Brethren and Sons? Whether it was agreed, that it ſhould be lawfull for* Edmonds *Brethren or Children to reign in the kingdom of the* Weſt-Saxons *after his death, by any ſpecial reſervation or agreement between them, in caſe* Edmond *ſhould die in his life-time? Whom he had deſigned to be his Heir? Whom he had appointed to be guardians to his Sons during their infancy? And what he had commanded concerning his Brothers* Alfred *and* Edward? To which they all anſwering both falſly and flatteringly, ſaid, *That they did moſt certainly know, King* Edmond *neither living nor dying had commended or given no part of his kingdom to his Brethren; and they did likewiſe know, that it was King* Edmonds *will, that* Cnute *ſhould be the Gardian and Protector of his Sons and of the Realm, untill they were of age to reign, calling God himſelf to witneſſe the truth hereof.* (O the ſtrange temporizing falſity, treachery, perjury of men in all ages!) *But though they thus called God to witneſs, yet they gave a falſe teſtimony, and fraudulently lyed, preferring a lye before the truth, being forgetfull of juſtice, unmindfull of nature, unjuſt witneſſes, riſing up againſt Innocency, and betrayers of their own bloud and Country: when as they all well knew, that* Edmond *had deſigned his Brethren to be his heirs, and appointed them to be Guardians of his children; thinking by this their falſe teſtimony to pleaſe King* Cnute, *to make him more mild and gracious to them, and that they ſhould receive great rewards from him for the ſame*

(*d*) *Athelredus Abbas, de Genealog. Regum Angl. col.* 965, 966. *Florentius wigornienſis, p.* 389, 390. *Sim. Dunelmenſis, col.* 175, 176. *Hoveden Annal. pars* 1. *p.* 436. *Radulph. de Diceto, Abbrev. Chron. col.* 466. *Henr. de Knyghton, De Eventibus Angliæ, l.* 1. *c.* 3. *Polychronicon, l.* 6. *c.* 18. *See Fabian, Grafton, Holinſhed, Speed, Daniel, in the Life of Cnute.*

Propoſit. 5, 6, 8.

same. After their answers to those Interrogatories, to ingratiate themselves further with *Cnute*, though *they were sworn before* **to Edmund and his Heirs, and were Native Englishmen,** *yet they there all took a solemn Oath of Allegiance to* Cnute, swearing to him, *That they would and did chuse him for their King, & humbly obey him,* **et Exercitui Wectigalia dare;** *and would give Tributes to his Army.* And having received a pledge from *Cnutes* naked hands, with *Oathes from the Princes and Nobles of the* Danes, *&* Cnute *reciprocal Oaths from them and all the people, they ratified a mutual Covenant and League of Peace with reciprocal Oaths between both Nations, reconciling and abandoning all publick enmities between them.* They likewise swore, *that they would cast off, banish, and wholly reject King* Edmonds *Brothers, Sons, and Family.* In pursuance whereof they there presently, *Fratres et filios* Edmondi *Regis omnino despexerunt, eosque Reges esse negaverunt; unum autem ex ipsis prædictis Clitonibus,* Edwinum, *egregium et reverendissimum* Edmundi *Regis germanum,* **Ibidem cum consilio pessimo, exulem esse debere constituerunt,** as *Roger de Hoveden,* Abbot *Ethelred, Wigornienſis* and others at large record the Story. The discord, treacherous falshood, disloyal proceedings of the English Nation then towards one another, & the *English royal line,* is thus elegantly set forth by * *Abbot Ailred;* (a lively Character of our age) *Exterriſque malis acceſſit civilis diſcordia, adeò ut quis cui crederet, quis cui mentis ſuæ ſecreta committeret neſciretur.* **Plena erat proditoribus Inſula,** *nuſquam tuta fides, nuſquam ſine ſuſpitione amor, Sermo ſine ſimulatione. Tandem* **coulque Proditio Civilis,** *et aſtutia* **Proceſsit** *hoſtilis, ut defuncto Rege* **Magna pars Inſulæ legitimis abdicatis hæredibus,** Cnutoni **qui Regnum invaſerat, manus darent; peremptoque** *invictiſſimo Rege* **Edmundo** *paterni honoris ſimul et laboris hærede, etiam* **Filios ejus,** *adhuc in cunis agentes, barbaris mitterem occidendos.* King *Cnute*, hearing this

Propoſit. 8, 1.

Nota.

* *De vita & Miraculis Edwardi confeſſoris, col. 374.*

this their *palpable flattery*, and contemptuous rejection of *Edwin*, and the Saxon regal Line, went joyfully into his Chamber, and calling perfidious Duke *Edric* to him, demanded of him, *how he might deceive Prince* Edwin, *so as to have him murthered?* Who thereupon informed him, how and by whom his murder might be accomplished by promised rewards of money and preferments, which was accordingly effected soon after by *Cnutes* procurement and command. This *Edric* likewise perswaded *Cnute*, to slay Prince *Edward* and *Edmond*, King *Edmonds* sons. Whereupon *Statuit* Cnuto *mirabiliter in animo suo, omne genus Gentis Regni Anglorum perdere, vel exilio perenni eliminare, ut regnum Angliæ filiis suis jure hereditario reservare curaret*, writes *Matthew Westminster*, p. 402. But because it might seem a great disgrace to him, *to murder these infant Princes in England*, he afterwards sent them over Sea to King *Swane* to slay them in *Denmark*; who abhorring the fact, instead thereof sent them to *Solomon* King of *Hungary* to be preserved and educated.

Cnute having thus *through the flattery, perjury and treachery of the English Prelates and Nobles gained the intire Monarchy of England.* **slew or banished all those perfidious English Sycophants, temporizers who had the chiefest hand in this false testimony, abjuration & treacherous bloody advice, against the Saxon Royal Family:** *by whose Counsel he slew or banished* **all the blood-royal of the Realm of England,** *that so he might* **Jure Hereditario,** *reserve and perpetuate the kingdom to his own Posterity by an hereditary right.* Duke *Edric* the principal of them, for this and his other Treasons forementioned, was deprived of his *Dukedom of Mercia*, and exemplarily executed as a most perfidious Traytor by *Cnutes* command the first year of his reign, and many of his Captains and followers were slain with him, (of which at large before.) *Mortem Proditor it pro demeritis accepit laqueo suspensus, et in Tamesin fluvium*

projectus. Cum quo plurimis satellitum suorum similiter occisis, etiam inter eos præcipuus et primus Normannus *occisus est*, writes Abbot (e) *Ingulphus*. *Turkell* Duke of *East-England*, and *Hirc* Duke of *Northumberland*, were both baniſhed the Realm; Duke *Norman* and *Bridric* ſlain, and **a heavy Tax of 82 Thouſand pounds (beſides 10000 pounds impoſed on London alone) impoſed and levied on the whole Nation.** Quoniam igitur **prædicti ſanguinis proditores** adulantes Regimentiti ſunt in caput ſuum, gladius eorum intravit in cor eorum, et à *Cnutho* **quem naturalibus Dominis prætulerunt,** confractus eſt arcus eorum. Cum enim Monarchiam Inſulæ favoribus illis obtinuiſſet, **Omnes qui primi in illo fuere conſilio exterminavit,** et quotquot de regio Semine ſuperſtites reperit, **vel regno repulit, vel occidit,** as (f) Abbot *Ethelred* records to poſterity. To which (g) *Henry Huntindon*, and (h) *Henry de Knyghton* ſubjoyn, *Poſteà vero Rex* **juſto Dei judicio dignam retributionem nequitiæ Anglis reddidit:** *Ipſe namque Rex* Cnute Edricum *occidit, (quia timebat ab inſidiis ab eo aliquando circumveniri, ſicut Domini ſui priores* Ethelredus & Edmondus *frequenter ſunt circumventi, quorum diutina proditione alterum vexavit, alterum interfecit*, add *Florentius Wigornienſis, Simeon Dunelmenſis, Roger de Hoveden*, and *Radulphus de Diceto*:) Turkellum *exulavit*, Hirc *fugere compulit. Præterea ſummos Procerum aggreſſus*, Normannum *Ducem interfecit*. Edwi Adeling *exterminavit*, Adelwoldum *detruncavit*, Edwi Churleging *exulavit*: Birdric ferro vita privavit. (i) Æthelwardus *filius* Agelmari *Ducis, et* Brihtricus *filius* Alphegi Domnanienſis *Satrapæ, ſine culpa interfecti ſunt. Fecit quoque per Angliam mirabilem Cenſum reddi*, ſcilicet 82. (ſome write 72.) *mille librarum, præter undecies mille libri, quas* Londinenſis *reddiderunt.* **Dignum igitur exactorem Dominus Juſtus Anglis impoſuit** (for rejecting their own Hereditary Soveraign Line.)

(e) *Hiſtoria*, p. 892.

Propoſit. 1, 8.

(f) *De Genealogia Regum Anglorum, col.* 365, 366.

(g) *Hiſtoriar. l.* 6. *p.* 363.

(h) *De Eventib. Angliæ, l.* 3. *c.* 3.

(i) *Florentius Wigorn. Anno* 1017. *p.* 391.

(k) *Ra-*

(k) *Radulphus Ceſtrenſis* (engliſhed by *Treviſa*,) *Fabian* and (l) *Grafton*, thus ſecond them. Alſo they ſwore, *that they would in all wiſe* **put off Edmonds kinn.** *They trowed thereby to be great with the King afterward, but it fared farr otherwiſe. For many or the more part of them, ſpecially ſuch as* Canutus *perceived were ſwern before to* Edmond *and his heirs, he miſtruſted and diſdained ever after.* **Therefore ſome of them were ſlain by Gods rightfull dome, and ſome baniſhed, and exiled and put out of the Land,** *and ſome by Gods puniſhment died ſuddenly, and came to a miſerable end*; which other of our Hiſtorians likewiſe regiſter: I ſhall deſire all ſuch who are guilty of the like Treachery, Flattery, Practice or Advice againſt their lawfull Sovereigns royal Poſterity, adviſedly to ponder this ſad domeſtick Preſident in their moſt retired Meditations, for fear they incur the like divine retaliation by Gods rightful doom, when and by whom they leaſt ſuſpect or fear it.

(k) Polychron. l. 6. c. 18. Fabian part. 6. c. 205. (l) Chronicles p. 174.

Nota.

King *Cnute* thus quit of all King *Edmonds* Sons, Brethren, kinred, and likewiſe of the greateſt Engliſh Dukes and Nobles who might endanger his Life, Crown, and new-acquired Monarchy, in the next place contrived, how to ſecure his Empire againſt Prince *Alfred* and *Edward*, *Edmonds* Brothers, then in *Normandy* with Queen *Emma* their Mother, and their Uncle *Richard* Duke of *Normandy*, a perſon of great valour, power, and intereſt; the only perſon likely to attempt their reſtitution to the kingdom and Crown of *England*. For which end he by gifts, Ambaſſies, and fair promiſes (m) procures Earl *Richards* conſent, to beſtow his Siſter Queen *Emma* upon him for his wife, who ariving in *England* in July 1018. was preſently maried to this Invader of her former Husbands kingdom, his ſons royal throne, and murderer, baniſher, diſhinheriter of his and her royal Poſterity, whereby her Brother Duke *Richards* thoughts were wholly diverted from ayding his Nephews to recover their

Anno 1018.

(m) *Malmesb. De Geſtis Reg. l. 2. c. 10. Mat. Weſtm. Hoveden, Huntindon Wigornienſis, Simeon Dunelmenſis, Radul. de Diceto, Bromton, Polychron. Fabian, Holinſhed, Grafton, Speed, and others.*

* Ailredus Abbas, de vita & Miraculis Edwardi Confessoris, col. 374.

their right in *England.* * *Ex hinc cum* Cnutoni *omnia pro voto cessissent*, timens **le Heres legitimus Regnum quod sibi de Jure debebatur,** *ac quando* Normanica *fretus virtute* **Reposceret,** *ut* Ducis sibi *arctius colligaret affectum*, Emmam *defuncti Regis relictam duxit uxorem.* Whereupon *De illorum* (Elfredi & Edwardi) *restitutione Richardū avunculum nihil egisse comperimus, quia et sororem suam* Emmam *hosti et invasori nuptam collocavit: Ignores majori illius dedecore qui dederit, ut fœmina quæ conseserat, ut thalamo illius caleret, qui virum infestaverit, filios effugaverit*; is (*n*) *Malmesbury* his observation and censure thereupon. Only their Uncle *Robert* attempted their restitution, *Congregatis navibus, et impositis militibus profectionem paravit, subinde jactitans se pronepotes suos coronaturum: et procul dubio fidem dictis explesset, nisi quia (ut à majoribus accepimus) semper ei ventus adversabatur contrarius, per occultum scilicet Dei judicium, in cujus voluntate sunt potestates omnium regnorum. Reliquiæ navium multo tempore dissolutarum Rothomagi adhuc nostra ætate visebantur*, writes *Malmsbury*. By this match with Queen *Emma*, as *Cnute* took off Duke *Richard* from yielding any assistance to his Nephews, in hopes his sister might have issue by him to inherit the Crown of *England* (*it being agreed between them on the marriage, that the issue of* Cnute *begotten on her should inherit the Crown*;) so it much obliged the English to him, and made them more willing to submit to his Government, (*o*) *ut dum consuetæ Domina deferrent obsequium, minus Danorum suspirarent Imperium*: the rather, because they much honoured and affected her for her manifold vertues, of which they had long former experience: and likewise because they hoped it might be a meanes to restore *Ethelreds* issue by her to the Crown again, in case she had no issue by *Cnute* to inherit it; which in truth it effected by Gods providence, contrary to *Cnutes* design. After this mariage this politick Forein Intruder, to establish

(n) De Gestis Regum l. 2. c. 20. p. 73.

(o) Malmsb. de Gestis Reg. l. 2. c. 11. p. 73.

bliſh his Monarchy over *England*, endeavoured to reconcile the Engliſh to him by all other publick means he could deviſe, and that by *Emmaes* advice.

1. By advancing ſome of the Engliſh Nobility to places of Honour and truſt, as (*p*) *Leoffric*; whom he made Duke, in the place of his Brother *Norman* whom he had ſlain; with ſome others, and loving them very dearly.

(*p*) *Florentius Wigorn. Simeon Dunelm. Hoveden, Speed & others.*

2. (*q*) By granting to the Engliſh equal Rights, and Privileges with his Danes, *in Conſeſſu*, *in Conſilio*, *in Prælio*; and favouring and advancing them both alike.

(*q*) *Malmsb. de Geſtis Regum, l. 2. c. 11. Wigornienſis, Speed.*

3. (*r*) By favouring and enriching the Engliſh Clergy and Church-men, and manifeſting extraordinary piety, devotion, bounty in repairing, building, endowing Monaſteries and Churches throughout the Realm, which had been partly decayed, partly demoliſhed and prophaned by his and his Fathers former wars and excurſions: And by erecting new Churches in all places where he had fought any battel, eſpecially at *Aſſebendune*, and placing Prieſts in them, perpetually to pray for the ſouls of thoſe that were there ſlain. *Ita omnia quæ ipſe, et Anteceſſores ſui deliquerunt, corrigere ſatagens, prioris Injuſtitiæ nævum apud Deum fortaſſis, apud Homines certè abſtulit*; as (*ſ*) *Malmsbury* relates.

[*r*] *Malmsb. de Geſtis Regum, l. 2. c. 11. Mat. weſtm. Huntindon, Hoveden, Wigornienſis, Sim. Dunelm. Radulphus de Diceto, Bromton, Polychron. Fabian, Grafton, Holinſhed, Speed.*

[*ſ*] *De Geſtis Regum, l. 2. c. 11.*

4. (*t*) By eaſing them of his *Daniſh Forces, and conſtant heavy Taxes for their maintenance*: For by the advice of *Emma*, *he ſent back all his Daniſh ſtipendiary Souldiers to their Native Country, and all his Ships but* 40, *which he retained to tranſport him into Denmarke the next year. To return, pay off, and disband which forein Forces, the Engliſh paid him a Tribute of* 82. *as ſome, or* 72 *thouſand pounds as other Hiſtorians record, collected out of all* England, *and the* Londoners 11 *thouſand or* 10500 *marks more.* Which Tribute I conceive was granted him in the Council of *London* the year before; wherein all

[*t*] *Mat. weſtm. Wigorn. Sim. Dunelm. Radul. de Diceto, Knyghton, Fabian, Grafton, Holinſhed, Speed, Huntindon, Wigornienſis.*

[u] *Wigornien. Sim. Dunelm. Hoveden and others.*

the Prelates and Nobles took an Oath, [u] **Suo exercitui vectigal dare**; according to their former agreement at *Glocester*, upon the partition of the Kingdom between *Edmond* and *Cnute*; wherein King *Edmond* and all the English *Nobles and Army ordained, that a Tribute should be paid to the Danish Fleet, TRIBUTO QUOD CLASSICÆ MANUI PENDERETUR STATUTO.* So that I conjecture, it was not imposed on the people by *Cnutes* absolute power, but by common Grant and Consent of a Great Parliamentary Council.

[x] *VVigorn. p. 389. Sim. Dunelm. col. 175.*

[y] *Wigornien. Bromton, Sim. Dunelm. Hoveden, Holinshed, Speed, Malmsb. and others.*

5. [y] By ratifying all their former good old fundamental Laws, Rights, Liberties, Privileges, which they used, enjoyed under their Saxon Kings, by enacting other good wholesom Laws, repealing all unjust Laws, and redressing all exactions and grievances.

By which means he so obliged the English to him, that they cordially assisted him in his Danish wars, chearfully obeyed him, and never raised any Insurrection or Rebellion against him, though frequently absent out of the Realm, all his reign, albeit he had no Army nor Garrisons to over-aw them.

Anno 1018.

[z] *Florentius VVigornienſis, Sim. Dunelm. Radulphus de Diceto, Roger Hoved. Chron. Iob. Bromton, col. 908. Hen. de Knyghton de Eventib. Angl. l. 1. c. 3. Grafton, p. 174. Speed, Holinshed, Fabian, part. 6. cap. 205. f. 172. Propoſit. 5, 6.*

In the second year of his reign, [z] Anno 1018. *King Cnute* assembled a Parliamentary Council both of the English and Danes at *Oxford*, wherein they both accorded, That King *Edgars* Lawes should be observed. *Angli et Daci apud* Oxonefordiam, *de lege Regis* Edgari *concordes sunt effecti*; as *Florentius Wigornienſis, Sim. Dunelmenſis*, and others express it: but the Chronicle of *Bromton* thus. *Posthec apud* Oxoniam *PARLIAMENTUM tenuit, ubi Angli, simul & Dani, de Legibus* Edgari *Regis observandis concordes facti sunt*: Which *Fabian, Grafton, Speed*, and others thus express in English. *He called* A PARLIAMENT *at* Oxford, *where among other things it was enacted, That* Englishmen *and* Danes *should hold and firmly keep the Laws of* Edgar, *late King*; Which Parliament they mis-

miſplace ſome in the 5. others in the 15. year of his reign, when it was in the ſecond.

[a] King *Cnute* failing into *Denmark* in the third year of his reign, having there ſetled his affairs, returned into *England*, Anno 1020. about the feaſt of *Eaſter*. *Apud* Orenceſtriam *CONCILIO CONGREGATO*, as *Matthew Weſtminſter*; or, *Apud* Cirencea-ſtram, *MAGNUM CONCILIUM HABUIT*, as *Florentius Wigornienſis*, *Hoveden*, and *Simeon Dunelmenſis*, record it. And then held a great Parliamentary Council at *Orenceſter* (or *Cirenceſter*) wherein he baniſhed Duke *Ethelward*. And this year as *Radulphus de Diceto* informs us, *Rex* Canutus *CONSILIO CLERI ET PROCERUM*; by the Counſel of his Clergy and Nobles (moſt likely aſſembled in this Council at *Cirenceſter*) and *eſpecially of his Queen* Emma, *he placed Monks in the Monaſtery of* Badricelworth, wherein the bodie of King *Edmond* the Martyr reſteth, removing the Secular Prieſts from thence. *Matthew Weſtminſter* thus relates it. *Conſilio* Emmæ Reginæ, *et EPISCOPORUM, SIMUL ET BARONUM ANGLIÆ Monachos in eo conſtituit, &c. Cænobium quoque beati Regis et Martyris* Edmundi *tot prædiis et bonis aliis ampliavit, ut omnibus ferè Angliæ Monaſteriis, in rebus temporalibus merito præferatur.*

Anno 1020. [a] *Mat. weſtm. p.* 423. *Vigorn. p.* 392. *Hoveden, p.* 437. *Sim. Dunelm. col.* 177. *Radulph. de Diceto Abbrev. Chron. col.* 467.

Propoſit. 2, 5, 6, 10.

Sir *Edward Cook* in his Preface to his 9. Reports, out of an antient Manuſcript of the Abbey of St. *Edmonds*, which he ſaid, was in his cuſtody, gives us this account of a Parliament held at *Wincheſter*, in the 5. year of *King Cnute* his reign, (Anno 1021.)

Anno 1021.

(*b*) *Hæc ſunt Statuta* Canuti *Regis* Anglorum, Danorum, Norwegiarum, *Venerando Sapientum ejus conſilio, ad laudem et gloriam Dei, et ſui Regalitatem, et communem commodum, habito in Sancto Natali Domini apud* Winton, &c.

[b] *Spelmanni concilia, p.* 534.

Rex Canutus *anno regni ſui* 5. *viz. per centum et triginta annos ante compilationem Decretorum, quæ Anno Dom.*

Dom. 1150. *fuerunt compilata anno septimo Pontificatus Papæ* Eugenii *tertii, et ante compilationem aliorum Canonum quorumcunque*, **Cunctos Regni sui Prælatos, Proceresque ac Magnates ad suum convocans Parliamentum, in suo publico Parliamento,** *persistentibus personaliter in eodem* Wulfstano *et* Adelnodo *Archiepiscopis et* Ailwino *Episcopo* Elmhamense, *et aliis Episcopis, ipsorum suffraganeis, septem Ducibus, cum totidem Comitibus, necnon diversorum Monasteriorum nonnullis Abbatibus, cum quamplurimis gregariis Militibus*, **ac cum populi multitudine copiosa, ac Omnibus tunc in eodem Parliamento personaliter existentibus,** Votis Regiis **unanimiter consentientibus,** præceptum et **decretum fuit,** *Quod Monasterium* Sancti Edmondi, *&c. sit ab omni jurisdictione Episcoporum Comitatus illius, ex tunc in perpetuum funditus liberum et exemptum, &c. Illustris Rex* Hardicanutus, *prædicti Regis* Canuti *filius, hæres et successor, ac sui Patris Vestigiorum devotus imitator, &c. cum laude et favore* Ægelnodi Dorobernensis, *nunc* Catuarensis, *et* Alfrici Eborac. *Episcoporum, aliorumque* Episcoporum Suffraganeis, necnon **Cunctorum Regni sui mundanorum Principum**, *descriptum constituit, roboravitque præceptum.*

Propos. 5, 6, 10.

That (which this Manuscript stiles so often a *Parliament*, held at *Winchester*, in the 5th year of King *Cnute* (of which there is not one Syllable in any of our Historians) is as I conceive, that which *Matthew Westminster*, *Wigornensis*, *Hoveden*, and *Simeon Dunelmensis* stile *CONCILIUM, ET MAGNUM CONCILIUM*, &c. held at *Cirenceester* or *Orenceester*, not *Winchester*, the 4th year of his reign: wherin by the Counsel of Queen *Emma*, and *of his Bishops and Barons*, he placed Monks in the Monasterie of *Bedericheforthe*, where St. *Edmund* was interred; and endowed the Monastery of St. *Edmond* with so many farmes and other goods, as made it one of the richest in all *England*, as these

thoſe Hiſtorians witneſs; Whoſe Name and date the ignorant compiler of this Manuſcript miſtook; whoſe Antiquitie and reputation is very ſuſpitious, as (c) Sir *Henry Spelman* informs us. Firſt, becauſe Sir *Henry* could never gain the ſight of it from Sir *Edward Cook*, though he oft-times promiſed to lend it him to peruſe for his ſatisfaction. And that which dares not abide the ſight and teſt of ſuch a judicious learned Antiquary, when deſired, may juſtly be deemed an Impoſture. 2ly. Sir *Henry Spelman* conceives the Author of this Manuſcript, writ not before the end of King *Henry* the 3d, if ſo ſoon, ſeeing he calls the Great Council of the Realm, ſo frequently a *Parliament*, which Title was not given it in Manuſcripts or Hiſtorians, till the end of King *Henry* the 3d. or after his reign; And *Wigornienſis*, *Matthew Weſtminſter*, *Hoveden*, and *Simeon Dunelmenſis*, all ſtile it onely *CONCILIUM*, not *Parliamentum*. 3ly. Becauſe he certainly miſtakes in his Chronology in making *Ægelnoth* Archbiſhop of *Canterbury* in the reign of King *Hardecnute*, when as he died and *Eadſi* was made Archbiſhop thereof two years before *Hardicnutes* reign, which *Eadſi* crown'd him King, as *Matt. Weſtminſter*, An. 1038. together with *Matthew Parker* and *Godwin*, atteſt. And therefore he might as groſly miſtake in other things. 4ly, It appears by the recital it ſelf, that it was writ above 130 years at leaſt after this Council under *Cnute*, becauſe it recites, it preceeded the Decrees made ſo long after, under Pope *Eugenius*, An. 1150. 5ly. The form of the Prologue, *Hæc ſunt Statuta, &c.* coupled with, *ad ſuum convocans Parliamentum in ſuo publico Parliamento*: and, *aliis Epiſcopis ipſorum Suffraganeis*, prove it not to be written before King *Edward* the firſt his reign; when ſuch phraſes came firſt in uſe: Sir *Edward Cooke* himſelf informing us in his *Epiſtle*, that in *Cnute* his reign, ſuch State-Aſſemblies were ſtiled *Generandum Concilium Sapientum, & ſic enim apud majores*

(c) [b] *concilia, &* 534.

majores Parliamentum illud Latine redditur. 6ly, Because it subjoins, *cum quamplurimis gregariis militibus, ac cum populi multitudine copiosa*, as if they had been personally present in this Parliamentary Council, as well as the Archbishops, Bishops, Abbots, Dukes *and Nobles*; of which there is not one syllable in our four antient Historians, which mention this Council at *Cirencester*. Neither can these *Gregarii milites* be intended Knights of shires; nor *populi multitudine copiosa*, Commoners or Burgesses elected to serve in Parliament by and for the people, (as Sir *Edward Cooke* and others fancy) there being no mention of any such chosen Knights of Counties, Citizens, Burgesses or Commons in that or succeeding ages, till about the reign of King *Henry* the 3d. but only, ordinary Souldiers, and the Vulgar sort of people, admitted to be present in the Council at the reading and passing of the Charter to *St. Edmond*, as they are now admitted into the *Lords House*, together with the Knights and Burgesses at the beginnings and ending of our Parliaments, and upon publike Trials, Conferences and Occasions; at which times there are more common people ten to one usually present to see and hear what is acted, who are no members, then there are Members of the Commons House, which never sate together with the Lords for ought appears, much less in this Parliament, as some confidently inferr from this *Spurious Antiquity*; which Sir *Edward Cooke* (little versed in Antiquities, and oft mistaken in them) so much magnifies and insists on.

Anno 1021. (*d*) *Mat. West. Florent. Wigorn. Sim. Dunelm. Huntindon, and Hoveden.*

In the year of Christ 1021. (*d*) King *Cnute*, upon occasions and offences taken by him, *banished Duke Turkell* (to whom he had formerly committed East-*England*) with *Edgitha* his wife; and *Hire* Duke of *Northumberland*, out of *England*. *Turkell* no sooner arived in *Denmark*, but he was there slain by the Dukes of the Country, by divine vengeance, he being a chief inciter of the death of *St. Alphege*.

Propofit. 2.

(*e*) The

(e) The Engliſh & Danes, An. 1022. **in Colloquio apud Drontam celebrato**, *de Legibus Regi* Edwardi *primi tenendis concordes facti ſunt. Unde eiſdem Legibus, jubente Rege* Cnutone, *ab* Anglica *lingua in* Latinam *tranſlatis: tam in* Dania *quam in* Anglia **propter earum æquitatem** *à Rege prefato* **obſervari jubentur**, as *Mat. Weſtminſter* relates, Anno 1022. So as he impoſed no New Laws on them, nor revived old, but only by common conſent in a Parliamentary Council both of *Engliſh* and *Danes*. *Anno* 1022. [e] *Mat. Weſtm. Flores Hiſt. p.* 404. *Propoſit.* 5.

(f) King *Cnute* in the year 1023. did ſo carefully endeavour to reform all things wherein himſelf or his Anceſtors had offended, as he ſeemed to wipe away *Prioris Injuſtitiæ Nævum*, the Blot of his former Injuſtice, as well with God as with men. And by the exhortation of *Queen Emma* ſtudying *to reconcile all the Engliſh to himſelf he beſtowed many Gifts upon them*, et inſuper **bonas Leges omnibus et placentes promiſit**: *and moreover promiſed good and pleaſing Lawes to all.* The beſt means to win and knit the peoples hearts. *Anno* 1023. (f) *Mat. VVeſt.* p. 404. *Malmsbury, De Geſtis Regum, l.* 2. *c.* 11. *Propoſit.* 5.

(g) Anno 1024. *Cnute* leading an Army of *Engliſh* and *Danes* againſt the *Swedes*, whereof he loſt many in the firſt battel, the next day, when he appointed again to fight with them, Earl *Godwin*, General of the Engliſh *Militia*, without King *Cnutes* privity, reſolved with his Engliſh forces alone to invade the Swediſh Enemies in the night. Whereupon uſing this Speech to his Souldiers, *ut priſtinæ gloriæ memores, robur ſuum oculis novi Domini aſſererent, &c.* they all valiantly aſſaulted the Enemies at unawares, put them all to flight, ſlew an innumerable multitude of them, and compelled the Kings of that Nation, *Ulf* and *Eglaf*, to yield to terms of Peace. *Cnute* preparing to fight very early the next morning, thought the Engliſh had been either fled away, or revolted to the Enemies; but marching to the Enemies tents, and finding nothing but the bloud and carcaſſes of thoſe the Engliſh had *Anno* 1024. [e] *Mat. VVeſt.* p. 405. *Huntindon, Hiſt. l.* 6. p. 364. *Malmsbury de Geſtis Reg. l.* 2. *c.* 11. *Propoſit.* 8.

had slain; he thereupon ever after had the English in great esteem; who by this their Victory *Comitatum Duci, sibi laudem paraverunt*, writes *Malmsbury*; *Cnute* returning joyfull of this Victory into *England*, and bestowing an Earldom on *Godwin* for this Service.

Anno 1027. *to* 1030.

In the year 1027. *Cnute* hearing that the *Norwegians* disesteemed *Olaus* their King by reason of his simplicity, bribed his Nobles with great sums of gold and silver to reject *Olaus*, and elect him for their King; which they promising to do, the next year he sailed into *Norwey* with 50 ships, thrust *Olaus* out of his kingdom, by consent of his Nobles, and subdued his Realm to himself: whence returning into *England*, An. 1029. *Haconem Danicum Comitem, quasi Legationis causa,* **in Exilium misit,** because he had maried *Gunilda* a Noble matron, daughter of the King of *Vandals*, *unde metuebat, ab illo vel à vitâ privari, vel à regno expelli*: who was after drowned in the Sea, or slain in the *Orcades*, Anno 1030. In which year *Robert* Duke of *Normandy* going to *Hierusalem*, Apud Fischamium PROCERES AD COLLOQUIUM VOCAVIT; ibique Gulielmum filium suum, hæredem sibi constituens, fecit omnes ei fidelitatem jurare. And the same year the *Norwegians* cruelly murdered *Olaus* their King, Doctor, Preacher and Apostle with an ax. *Indignabatur enim Gens illa pagana et cruentissima*, QUOD PRIMAS LEGES *et superstitiosas idem sanctus Rex* Olaus *prædicando, docendo, evangelizando, statuendo evacuaret*. But *Cnutes* gold was the prime cause thereof, to get his Crown as he had done his Realm and *Edmond Ironsides*; for whose soul he prayed, and offered a rich embroydered Pale on his Tomb at *Glastonbury*, *Anno* 1026. *Hoc autem fecisse creditur, ne in mortem ejus, cui in certamine singulari confœderatus fuerat, consensisse videretur*, writes (*i*) *Mat. Westminster.*

[b] *Florentius Wigornienſis, Simeon Dunelm. Hoveden, Mat. Westmin. Anno* 1027, 1028, 1029, 1030. *Radulf. de Diceto, Bromton, Huntindon, and others.*

Propoſit. 2. 5, 6.

[i] *Flores Hiſt.* 2. 403.

(k) King

(k) King *Cnute*, *Anno* 1031, (to palliate his Uſurpations of other mens Crowns with the ſhew of Devotion) travelled to *Rome* in very great pomp, where he offered very great gifts in gold, ſilver, rich veſtments, and pretious ſtones; and obtained from Pope *John*, **That the Engliſh School ſhould be free from Tribute.** In his going and returning he not only gave large alms to the poor, but likewiſe removed and deleted **many unjuſt Tolls and Taxes**, exacted from ſuch who travelled to *Rome*, giving a Great price to aboliſh them. He ſolemnly vowed to God before the Sepulcher of the Apoſtle *Peter*, *a reformation both of his life and manners.* In purſuance whereof, he writ a Letter from *Rome* to the *Archbiſhops of Canterbury* and *Yorke*, *all the Biſhops, Nobles, and Rulers, and to the whole Engliſh Nation*, as well *Nobles* as *Plebeans*; wherein he certified them, That he had procured from the *Emp. of Germany*, King *Rodolphus*, the Pope, and other Princes, **a releaſe of all unjuſt Tolls and Taxes** *exacted of his people as they travelled out of devotion towards* Rome, *and of the vaſt ſums of money which the Archbiſhops paid to the Pope for their Palls.* After which he informs them, *That he had vowed to juſtify his life to God himſelf in all things; To govern the Kingdoms and Nations under his ſubjection* **juſtly and piouſly; To obſerve juſt judgement in all things**; *and if through the Intemperance or negligence of his youth he had hitherto done any things beſides that which was* JUST, *that he promiſed by Gods aſſiſtance to reform it all. Therefore I obteſt and command all my Counſellors, to whom I have committed the Counſels and Juſtice of my Realm, that by no means, either for fear of me, or through favour to any potent perſon, they ſhould from henceforth* **doe any Injuſtice, or cauſe it to ſprout up in all my kingdom.** *Likewiſe I command all the Sheriffs and Officers throughout my Realm, as they deſire to enjoy my favour or their own ſafety, that they* **do No unjuſt violence to any man,** *neither to rich nor poor:*

Anno 1031.

[k] *Ingulphi Hiſt. p.* 893, 894. *VVill. Malmsbury de Geſtis Regum, l.* 2. *c.*11. *p.*74. *Mat. VVeſtm. p.* 407, 408. *Hoveden, Annal. pars* 1. *p.* 437. *Flor. VVigorn, p.* 394, 395. *Radulph. de Diceto, Abbrev. Chron. col.* 468. *Bromton, col.* 912. *Polychron. l.* 6. *c.* 20. *Sim. Dunelm. p.* 178. *Fabian, Holinſhed, Grafton, Speed, and others.*

Propoſit. 1, 2, 3, 4.

Nota.

poor; *but it shall be lawful* **for all**, *as well Noble as Ignoble* **to enjoy justice and right:** *from which they might not deviate in any manner, neither for Regal favour, nor for the person of any potent man*, **nec propter mihi congerendam pecuniam, quia nulla mihi necessitas est, ut iniqua exactione pecunia mihi congeratur**; *nor yet for raising or heaping up money to me: Because there* **is no necessity for me** (and let those who now plead *Necessity* both for their own illegal imposing, levying of unjust unceſſant heavy Taxes, Impoſts, Exciſes on our Nations, without grant and common consent in Parliament, consider it) **that money should be raised and collected for my use by an injust exaction.** After this he enjoyns them by this Letter; *To pay all Debts and Duties* **due by the antient Law**; *as* **Tithes** *of their corn and cattel, Peter-pence, and First fruits at the Feasts appointed, under pain of the penalties inflicted by the Laws, which he would strictly exact without pardon:* Neither was he worse than his word, writes [l] (*Malmsbury*) *for he commanded* **all the Laws** *made by antient Kings, and especially by his predecessor King* Ethelred, **to be for ever observed**, *under pain of a regal mulct. To the custody of all which ancient Laws,* **Even now** (writes he) **our Kings are sworn,** *under the name of* **King Edwards Laws,** *non quod illa statuerit, sed observaverit.* And [m] *Matthew Westminster* records further; *Vicecomitibus Regni Angliæ et Præpositis, districtè mandavit,* **ut nulli hominum vim inferant, nec propter pecuniam fisco reponendam in aliquo a Justitia deviant, dum non habeat necessitatem de peccato pecuniam adaugere.**

[l] *De Gestis Regum, l. 2. c. 11*

[m] *Flores Histor. p. 408.*

If this Forein Danish *Conqueror* and Usurper of the Crown of *England*, **quod Bellico Jure obtinebat, et armorum violentia** (as [n] *William Thorne* records) was at last so just and equal to the *English*, as to reform all his former extravagant acts of Injustice, Exactions, Oppressions, to release all unjust Taxes, Exactions, Oppressions,

[n] *Chronica, col. 1782.*

preſſions, and not to exact or raiſe any monies unjuſtly on the people, upon any real or pretended neceſſity, without their common conſent in Parliament, by any of his Officers, ſhould not our own Engliſh Conquerors, & domineering Grandees, now much more imitate this his laudable Example, who pretend not only to equal but exceed him in Saintſhip, Juſtice, Devotion, & no longer to oppreſs the griev'd people with their arbitrary Tyrannical Taxes, Exciſes, Impoſts, extravagant violent poceedings in new wayes of higheſt Injuſtice, as hitherto they have done, againſt all their Oaths, Covenants, Declarations, promiſes, and Engagements to the Nation.

King *Cnute* returning from *Rome* into *England*, *Anno* 1032. treated the Engliſh very juſtly and civilly, confeſſed redreſſed his own former and his anceſtors extortions, oppreſſions, rapines, endowed many Monaſteries with lands and priviledges, and ratified them with his Charters. Hereupon *Brithmerus* Abbot of *Croyland*. *Cum* Cnutonem *Regem ſuper Angliam ſtabilitum cerneret, univerſos Anglos civiliter & ſatis amicabiliter tractare, inſuper ſanctam Eccleſiam ſpeciali devotione deligere, ac filiali ſubjectione honorare, monaſteriis multiſque ſanctorum locis benè facere, quadam verò Monaſteria ad ſummam gloriam promovere*, thereupon reſolved to go to the King, & procure his Charter of confirmation of the Abbey, Lands & liberties of *Croyland*, 'quorundam adverſariorum, qui tempore guerræ mul-'tum creverant, vim formidans. Which Charter he readily obtained in theſe memorable words, wherein he acknowlegeth his rapines and bloodſhed to poſterity. 'Cnutus Rex totius *Anglia* & *Danmarchia*, & *Nor-'wagiæ*, & magnæ partis *Swavorum*, omnibus Pro-'vinciis, nationibus & populis meæ poteſtati Subject-'is, tam minoribus quam majoribus ſalutem. Cum 'terram *Anglia*, progenitores mei & parentes *DURIS* 'EXTORTIONIBUS, & DIRIS DEPRÆDATIO-'NIBUS

Anno 1032.

(o) *Ingulphi Hiſtoria*, p. 892, 893.

Propoſit. I. 2. 4.

'NIBUS SÆPIUS OPPRESSERUNT, Et (fateor)
'INNOCENTEM SANGUINEM FREQUEN-
'TER IN EA EFFUDERUNT, studium meum
'à principio regni mei fuit, & semper erit in futurum,
'tam penes cælum quam penes seculum, PROPTER
'HÆC MEA PECCATA, ET PARENTUM
'MEORUM SATISFACERE, & statum totius san-
'ctæ matris Ecclesiæ, & uniuscujusque Monasterii sub
'Imperio meo constitui, cum in aliquo meo patrocinio
'indiguerint, devotione debita emendare, omnesque
'sanctos Dei per hæc, & alia bona opera mihi in meis
'necessitatibus reddere benignos, ac deprecationibus
'meis favorabiles & placatos. Ideo in arras hujus meæ
'satisfactionis, offero sancto *Guthlaco* de *Croyland*, &
'cæteris sanctis ejusdem loci de substantia mea unum
'calicem; confirmans *Brithmero* Abbati, & Monachis
'suis totum Monasterium suum *Croylandiæ*, cum insu-
'la circumjacente, & duobus Mariscis adjacentibus,
'scilicet, *Arderlound*, & *Goggislound* eisdem terminis
'& limitibus, quibus in Chirographo inclyti, quon-
'dam Regis *Edredi* restauratoris sui dicta insula, di-
'ctique duo Mariscis satis apertè describuntur. Con-
'firmo etiam omnes Ecclesias & Capellas, terras &
'tenementa, libertates & privilegia in ejusdem Regis
'Chirographo contenta, cum quibus omnibus dictus
'Rex *Edredus* dictum Monasterium *Croylandiæ* ad ho-
'norem Dei, & S. *Guthlaci* confessoris sui corporaliter in
'ea requiescentis dotavit, donavit, ditavit, & suo Chiro-
'grapho confirmavit. Nullusq; hominum meorum audeat
'à modo dictos Monachos inquietare, vel in aliquo con-
'turbare propræ dictis. Quod si quis facere præsum-
'serit, vel tentaverit usurpare, vel gladii mei sentiet
'aciem, vel gladii pœnam sacrilegis debitam subi-
'bitabsque omni remissione, & redemptione puniendus,
'juxta modum et mensuram injuriæ dictis Monachis
'irrogatæ. Ego Cnutus Rex anno Dominicæ incarnati-
'onis: 1032, Londoniis istud meum Chirographum

fig-

ſigno ſanctæ crucis confirmavi. ✠ Then follow the ſubſcriptions of both the Archbiſhops, ſundry Biſhops, Abbots, Earls and others.

The ſame year 1012. *King Cnute* granted and confirmed to the *Abbot* of *Glaſtonbury*, the Conuſance of all eccleſiaſtical and ſecular cauſes within the Iſland of *Glaſtonbury*, by a ſpecial Charter: *Cum Conſilio & Decreto Archipræſulis noſtri Edelnothi, multique cunctorum Dei Sacerdotum, & Conſenſu Optimatum meorum*; as the words of the Charter aſſert, to the end it might be valid in Law. And the ſelf ſame year King *Cnute* commanded *Elſtan*, Abbot of S. *Auguſtines* in *Canterbury* to repair to him at the Feaſt of *Pentecoſt*, concerning the tranſlation of the Corps of St. *Mildretha* to that Monaſtery, *ut tranſlationem faciendam, ipſe Rex*, **per conceſſionem Procerum**, *& per literas ſuas firmius confirmaret*, as (q) *William Thorn* in his Chronicle relates. (p) *Malmesb. de Geſt. Reg. l. 2. c. 11. Spelman. Concil. p. 517.* *Propoſit. 10.* (q) *Col. 1910, 2127.*

King *Cnute* in the year 1033. on the Feaſt of Chriſts Nativity, held a Parliamentary Council at *Wincheſter*, where, **Venerando Sapientum ejus Conſilio**, by the venerable Counſel of his Wiſemen, he made and publiſhed ſundry excellent Eccleſiaſtical and Civil Laws for the good government of the Church and Realm, *to the praiſe of God, the honour of his Regality, and common good of the People*, being 103 in the *Saxon* and 110 in the *Latine* Copies. His 61 Eccleſiaſtical Law thus reſolves, againſt the *Anti-Magiſtratical* opinion of this licentious age, *Chriſtiano Regi jure pertinet*, **ut injurias Deo factas vindicet**, *ſecundum quod acciderit.* *Anno 1033.* [r] *Chron. Joh. Bromt. col. 914. to 932. Lambardi Archaion, Spelm. Concil. p. 538. to 570. Fox Acts and Mon. vol. 1. p. 211, 212.* *Propoſit. 5, 6, 1, 2, 4.*

His Civil Laws begin thus. *Hæc eſt inſtitutio Legum ſecularium*, **quam communi Sapientum meorum Conſilio**, *per totam Angliam in ri præcipio. Imprimis volo, ut* **Juſtæ Leges erigantur, et injuſtæ ſub pertantur, et omnis Injuſtitia** *modis omnibus ſarculetur & a modo* **omnis homo** *dignus publica rectitudine reputetur,*

pauper & dives quicunque sit, & eis **justa judicia judicentur.** I shall transcribe only some few of his Laws pertinent to my Theam.

Lex 25. *Prohibemus ne Christianus aliquis penitus pro parva re saltem ad mortem deducatur. Sed justitia pacificans pro necessitate populi exquiratur, ne pro levi re, opus manuum Dei, & sui ipsius pretium, quod profundè redemit desperet*

Lex 26. *Præcipimus nè Christiani passim* **in exilio** *vendantur, vel in Gentilitatem, nè forte pereant animæ quas propria vita sua mercatus est* Dominus noster Ihesus Christus.

Lex 31. *Omnis Injustitia deinceps opprimatur,* Burgbotam & Brigbotam, & Scipforthunga & Frothunga, *qui Navigii vel expeditionis sonant apparatum, sedulo procuremus.* **cum necesse fuerit ad commune regni nostri commodum.** *Et perquiramus simul modis omnibus quo modo præcipuum possit consilium* **ad profectum populi obtineri,** *rectaque Christianitas propensius erigi, & quicquid injustum est solertius enervari.* Proposit. 9.

Lex 34. *Si quis deinceps Vnlage, i. e. non legem erigat, vel injustum judicium judicet, pro læsione, vel aliqua pecuniæ susceptione, sit erga Regem,* CXX *s. reus in Anglorum laga, nisi cum juramento audeat inveritare, quod rectius nescivit judicare & dignitatem sua legalitatis semper amittat si non eam redimat erga Regem, sicut ei permittetur. In* Denelaga Lathslithes, *reus sit si non juret quod melius nescivit.*

Lex 36. *Qui aliquem accusare præsumat, unde pecunia vel commodo pejor sit, & denique mendacium pernoscatur, linguam suam perdat, vel* Weregildo *redimatur.*

Lex 37. *Nemo Regem requiret de Justitia facienda dum ei rectum offertur in Hundredo suo, & requiratur Hundredum secundum Witam, sicut justum est.*

Lex 38. *Et habeatur in anno ter* Burgimotus, &

Scy-

Scyremotus *bis*, *nisi sapius sit necesse*. *Et interſit* Epiſcopus *et* Aldermannus; *et doceant ibi Dei rectum et ſeculi*.

Lex 59. *Non eſt in aliquo tempore conceſſa* INJUSTITIA, *et tamen* Injuſtitia *eſt feſtis diebus et ſanctificatis locis propenſius interdicta. Semperque ſicut homo potentior eſt, vel majoris ordinis, ſic debet ſolertius pro Deo et ſeculo quod juſtum eſt emendare. Et ideo gratam emendationem ſedulo per quiramus de Scripturis Sanctis, et ſecularem juxta legem ſeculi.*

Lex 83. *Si quis de morte Regis vel Domini ſui quoquo modo tractaverit, vita ſua reus ſit, et omnium quæ habebit, niſi triplici judicio ſe purget.* Propoſit. 8.

Lex 91. *Si quis* Burgbotam, *vel* Brigbotam 1. burgi vel pontis refectionem, *vel* Firdfare, 1. *in exercitum ire ſupersedeat, emendet hoc* erga Regem C. xx. s. *in* Anglorum *laga*; *in* Denelaga *ſicut Lex ſtetit antea, vel ita ſe adlegiet, nominentur ei* 14. *et acquirat ex eis* 11.

Lex 96. *Hæc eſt* alleviatio quam omni *populo meo prævidere volo, in quibus* **nimis omnino fuerant aggravati.** *Præcipio Præpoſitis meis omnibus ut in proprio meo lucrentur, et inde mihi ſerviant. Et nemo cogatur ad firmæ adjutorium aliquid dare, niſi ſponte ſua velit. Et ſi quis aliquem inde gravabit,* Weræ *ſuæ reus ſit erga Regem.*

Lex 97. *Si quis ex hac vita decedat ſine diſtributione rerum ſuarum, vel per incuſtodiam vel per mortem improviſam, non uſurpet dominus ejus de pecunia* (*niſi quantum ad juſtam Relevationem pertinet, quæ Anglicè vocatur* Hereget) *ſed ſit ſecundum dictionem ejus ipſa pecunia recte diviſa, uxori, pueris et propinquis, unicuique ſecundum modum qui ad eum pertinet. Et ſint Relevationes ità minutæ ſicut modus eſt. Comitis, ſicut ad eum pertinet, hoc eſt, octo equi, quatuor ſellati, quatuor inſellati, et galeæ quatuor, et loricæ quatuor, cum octo lanceis et totidem ſcutis, et gladii quatuor, et CC. marcæ auri. Poſtea Thayni regis qui ei proximus ſit, quatuor equi, duo ſellati, et duo*

insellati; et duo gladii, et quatuor lancea, et totidem scuta, et galea cum lorica sua, et 50. marca auri. Et mediocris Thayni, equus cum apparatu suo, et arma sua, vel suum Halsfang. *in* Westsaxia, *in* Mircenis ij l. in *Estanglia*, ij l. *Et si notus sit Regi, equi duo, unus cum sella et alius sine sella, et unus gladius, et duæ lancea, et totidem scuta, et 50 marcæ auri. Et qui minus potest, det duas libras.*

Propos. 4, 9. Lex 104. *Et qui fugiat à Domino vel socio suo pro timiditate in Expeditione navali vel terrestri, perdat omne quod suum est, et suam ipsius vitam, et manus mittat Dominus ad terram quam ei antea dederat. Et si terram hæreditariam habeat, ipsa in manum regis transeat.*

Lex 105. *Et qui in bello ante Dominum suum ceciderit, si hoc in terra, sit alibi, sint relevationes condonatæ: et habeant hæredes ejus terram sicut et pecuniam suam, et recte dividant inter se.*

Lex 107. *Et volo ut omnis homo pacem habeat eundo ad* Gemotum, *vel rediens de* Gemoto, *id est placito, nisi sit fur probatus.*

Lex 110. *Qui leges istas apostabit quas Rex modo nobis omnibus indulsit, sit* Dacus, *sit* Anglus, *Weram suam reus sit erga regem. Et si secundo faciat, reddat bis Weram suam. Si quis addat tertio, reus sit omnium quæ habebit.*

In the rest of his Lawes all corporal and pecuniary penalties and fines for all sorts of Offences and Crimes, are reduced to a certainty, and none left arbitrary; and by *Lex* 104, 105. it is evident, that the *Military Laws*, as wel as the *Civil & Ecclesiastical*, were made in and by advice and direction of the *Great Councils*.

[s] Col. 913. The (s) *Chronicle of Bromton* informs us, that King *Cnute, per Chartam suam à se et hæredibus suis dedit, quàm cito post* **in Parliamento suo apud Wintoniam** Propos. 6, 10. (when and where those Laws were made) *coram omnibus* **Regni sui Magnatibus confirmavit**, gave and confirmed the Manors of *Hornyng*, *Ludham* and *Neter-*

sheede

ſhede to the Monaſtery of *Cowholm* in *Northfolke*: And that one *Maynard* riding towards this Parliamentary Council, brake his neck, who had ſo incenſed the King againſt *Wulfric* and the Monks of this Monaſtery, that he threatned to put them to death. What lands and privileges he gave by his Charters to St. *Cuthberts* Church in *Durham*, *Chriſts-Church* in *Canterbury*, and other *Monaſteries*, the (*t*) Marginal Authors will inform us.

(*t*) *Dunelmenſis, Hiſt. de Eccl. Dunelm. l. 3. c. 8. Evidentiæ Eccleſ. col. 2223, 2225, &c. Chron. will. Thorne, col. 1782, 1908, 1909, 1910.*

(*m*) *Malmesb De Geſtu Reg l. 2. c. 11. Sim Chriſti Cantuar*

About the year 1034. [*u*] King *Cnute* having obtained the Soveraign Dominion of *England*, *Scotland*, *Norwey*, a great part of *Sweden*, and of all *Denmarke* principally by the Sword, through *the flattery of his followers*, who ſtiled him, **a King of all Kings, moſt mighty Soveraign,** *and the like, who had under his ſubjection & Dominion not only the People and Land but the Sea likewiſe*; & alſo by reaſon of his Great Dominions, was ſo much elevated with pride of heart, that he once commanded the royal Throne of his Empire to be placed on the Sea ſhore near the water, as the Sea was flowing in upon it: and then ſtepping up into his Throne & ſitting in it, he ſpake thus to the Sea in an imperious manner, as if he were abſolute Sovereign of it. *Tu mea ditionis es, &c. Thou art under my Dominion and part of my Empire, and the land on which I ſit is mine, neither is there any one in it who dares reſiſt my command, without puniſhment. Therefore I now command thee, that thou aſcend and come not up upon my land, nor yet preſume to wet my royal robes, nor the feet or Members of thy Soveraign. But the Sea, notwithſtanding this Inhibition, aſcending after its accuſtomed manner and nature, and no wayes obeying his commands, wet both his feet, legs and royal Robes, without any reverence.* Whereupon the King leaping haſtily out of his Throne, almoſt over-late, and retiring from the waves; uſed theſe words: *Let all*

Anno 1034.

[*u*] *Mat. Weſtm. Anno 1035. p. 409. Hen. Huntindon, Hiſt. l. 6. p. 364. Radulphus de Diceto, Abbrev. Chron. col. 468, 469. Chron. Iohann. Bromton, col. 911, 912. Polychron. l. 6. c. 20. Hen. de Knyghton de Eventib. Angl. l. 1. c. 5. Fox Acts and Mon. vol. 1. p. 211. Speeds Hiſtory, p. 401. Mr. Selden Mare Clauſum, l. 2. c. c. 12. Fabian, part. 6. c. 206. Polydor Virgil, Holinſhed, and others in his life.*

the Inhabitants of the world know, **that the power of Kings is but vain and frivolous,** *and that no man is worthy the name of* **a King**, *but he alone, to whose beck both Heaven, Earth and the Sea obey by everlasting Laws.* *Henry de Knyghton* superaddes thereto as part of his Speech, which most others omit. *I am a Wretch and a Captive able to do nothing, possessing nothing without his gift; I commend; I recommend my self to him, and let him be the Gardian of debility, Amen.* After which King *Cnute* never wore his Crown upon his head, but put it upon the head of the Crucifix at *Wincheſter* (as most accord) *to the praise of the great King*, thereby giving a great example of humility to Kings and Conquerors; who in the height of all their power, can not command the Sea or least wave not to flow or wash them. *Henry de Knyghton* conceives this to be before his pilgrimage to *Rome*; others expresly record it was after his return from thence, whose computation I here follow, and therefore place it in this year.

Anno 1035. (*u*) *Malmesb. Mat. Weſtm. Wigorn. Sim. Dunelmenſis, Bromton, Huntindon, Hoveden, Knyghton, Polychronicon, Fabian, Holinſhed, Grafton, Speed, Radulphus de Diceto, Fox, and others.*

In the year of our Lord 1035. King *Cnute*, a little before his death, made this partition of his kingdoms amongst his Sons. *Swane* his son by Q. *Algiva* (or as some affirm of a Priests wife suborned by *Algiva* as her own) he made King of *Norwey*; his Son *Harde-Cnute* by Queen *Emma*, he caused to be crowned King of *Denmark*; as *Wigornienſis*, *Hoveden*, and others write, yet some gainsay it, that he made his Son *Harold* King of *England*, and soon after died at *Shaftesbury*, *November*, 12. 1035. and was buried at *Wincheſter*. Immediatly after his decease the Nobles met at *Oxford* about the election of a new King, which our Historians thus expres. **Convenerunt apud Oxoniam ad Colloquium** (as *Mat. Weſtm.*) or **Placitum magnum** (as *Huntindon* and others stile it) **Proceres Regni**, Vt de novo Rege creando tractarent ibidem. *All the Nobles of the Realm assembled in a great Parliamentary Council or Court at* Oxford, *that they might consult about the election*

Propoſit. 6.

ction of a New King (which they would not have done had *Harold* been made King of *England* before by *Cnute* in his life time.) *Leofric*, Earl of *Cheſter*, and the reſt of the Nobles on the Northſide of the *Thames*, with all the *Daniſh* Princes and *Londoners* (who by converſing with the *Danes* amongſt them, were corrupted with their vices, and addicted to their party) elected *Harold* Son of *Cnute* by his Concubine *Algiva*, (whom ſome aver to be the ſon of a Tayler) for their King; But *Godwin Earl of Kent*, with the Princes of the Weſtern part of *England*, contradicting them, would rather have elected *Harde-Cnute*, ſon of *Cnute* by *Queen Emma*, or one of the Sons of King *Ethelred* and *Emma*, then in *Normandy*. *After great ſtrife and debate between the Nobles about the Election*, becauſe *Harold* was there perſonally preſent; but *Harde-Cnute* then in *Denmark*, and *Alfred* and *Edward* in *Normandy*, *Harolds* party prevailed againſt Earl *Godwins*, *qui tandem vi & numero minor, ceſſit violentiæ*. Whereupon *Harold* was preſently crowned King at *Oxford* by *Elnothus* Archbiſhop of *Canterbury*, *though at firſt he was very unwilling to perform that ſervice*. For it is [*x*] reported of him, *that he having the regal Scepter and Crown in his cuſtody, refuſed with an Oath to conſecrate any other for King, ſo long as Queen* Emma *her children were living*; *for* (ſaid ſhe) Cnute *committed them to my truſt and aſſurance, and to them will I give my faith and allegiance. This Scepter and Crown therefore I here lay down upon the Altar, neither do I deny nor deliver them to you; but I require by the Apoſtolick Authority, all Biſhops, that none of them preſume to take the ſame away, neither that they conſecrate him King therewith; as for your ſelf, if you dare, you may uſurp that which I have committed to God on this Table. Notwithſtanding this great thunderclap being allayed with the ſhowers of Golden promiſes of his juſt, good, and religious government intended* (though preſent experience manifeſted the contrary) *he was crowned by him* Anno

(*x*) *Holinſhed, Hiſt. l. 7. c. 13. p. 182. Speeds Hiſt. p. 404. See Antiqu. Eccleſ. Brit. & Godwin in his life.*

An.

Anno. 1035. *Henry Huntindon* and others write, *That they elected him King, only to keep the kingdom for his Brother* Harde-Cnute *then in* Denmark: *Harold* and the Nobles of *West-Sex*, who opposed his election, upon advice taken, resolved, that *Queen Emma* wife of the deceased King, should keep *West-Sex* and *Winchester* for the use of her Son *Harde Cnute*, and that Earl *Godwin* should be their Captain in military affairs. *Roger Hoveden*, and others record, *That* Harold *being elected* King *by the consent* **of the major part of the Nobles of England**, *obtained the royal dignity, and began to reign,* **quia justus hæres**, *because he was a lawfull heir*; yet he reigned not so powerfully as *Cnute*, *quia* **justior hæres expectabatur Harde Cnutus**, because a juster heir *Harde Cnute* was expected: By reason of this disagreement amongst the Nobles, to please both parties; the kingdom of *England* was thereupon divided by Lot; *Harold* enjoying the *Northern* part thereof, and *Harde-Cnutes* friends retaining the *Southern* part of it for his use.

No sooner was *Harold* crowned King, but to secure himself the better in his Throne, he presently posted to *Winchester* with his forces, where tyrannically and forcibly taking away all the Treasures and goods which *Cnute* had left to Queen *Emma* his Mother-in-law, he banished her out of *England* into *Flanders*; (some write, she was thus banished by the secret Counsel and treachery of Earl *Godwin*, whom she had made General of her forces for her preservation, who proved unconstant, and a Traytor to her and her children) where in this her distresse she was honourably entertained by Earl *Baldwin*.

propos. 2.

In the year 1036. *Alfred* eldest Son of King *Ethelred* comming over to claim his right in the Crown, was with his *Norman* associates, betrayed, and murdered by the treachery of Earl *Godwin*, of which I finde these several different relations in our Historians.

(y) *Mat-*

(y) *Matthew Weſtminſter*, *Ranulphus Ciſtrenſis*, and others out of them record; that *Alfred* being in *Normandy*, and hearing of the death of *Cnute*, came into *England* with 23. choſen ſhips full of Souldiers, *ut paternum regnum de Jure ſibi debitum, vel pacificè, vel ſi neceſſitas cogeret, armatorum præſidio obtineret*; that he might obtain his fathers kingdom, of right due unto him, either peaceably, or if neceſſity compelled, by force of arms. Who ariving with his forces at *Sandwich* Port, came as far as *Canterbury*: When *Godwin* Earl of *Kent* knew of his comming, he went to meet him, and receiving him in his fidelity, the very next night following compleated the part of the Traytor *Judas* upon him and his fellow-Souldiers. For after kiſſes of peace given, and joyful banquets, in the ſilence of the midnight, when as *Alfred* and his companions had given their Members to ſleep, they were all taken unarmed in their beds, ſuſpecting no harm, by a multitude of armed men ruſhing in upon them, and their hands being tyed behind their backs, they were compelled to ſit down in order one by another: Where ſitting in this manner, *nine of them were always beheaded, but the tenth diſmiſſed, and his life reſerved for a time*: Theſe things were acted at *Gildeford*, a royal Town. But when it ſeemed to the Traitor *Godwin*, that there were more yet remaining alive of them, than was profitable, he cómanded them to be tithed over again, as before, and ſo very few of them remained alive. But young *Alfred*, every way worthy of royal honour, he ſent bound to the City of *London*, to King *Harold*, (that therby he might find greater favor with him) with thoſe few of his followers who remained undecimated. So ſoon as the King ſaw young *Alfred*, he cauſed him to be ſent to the Iſle of *Ely*, and there to have his eyes pulled out; of the pain whereof he ſoon after died; but he ſlew all his Souldiers too perniciouſly.

[y] An. 1036. P. 410.

Florentius Wigornienſis, *Roger de Hoveden*, *Simeon Dunel-*

Dunelmenſis, & *Radulphus de Diceto*, Mr. *Fox*, and others relate, That the innocent Princes *Alfred* and *Edward*, ſons of King *Ethelred*, came out of *Normandy* (where they had long reſided with their Uncle *Richard*) into *England*, accompanied with many *Norman* Souldiers, tranſported in a few ſhips, to conferr with their Mother *Emma*, then reſiding at *Wincheſter*. Which ſome potent men, eſpecially Earl *Godwin* (as was reported) took very unworthily and grievouſly, becauſe (*licet injuſtum eſſet*) although it were unjuſt, they were more devoted to *Harold* than to *Alfred*. Whereupon *Harold* perſwaded King *Hardo-Cnute* and the Lords, not to ſuffer thoſe *Normans* to be within the Realm for jeopardy, but rather to puniſh them for example; by which means he got authority to order the matter himſelf; Wherefore he met them on *Guild-down*, and there ſeiſed upon Prince *Alfred*, and retained him in cloſe Priſon when he was haſtning towards *London* to conferr with King *Harold*, as he had commanded: And apprehending all his followers, he ranſacked ſome of them, others of them he put in chains, and afterwards put out their eyes; ſome of them he tormented and puniſhed, by pulling off the skin from their heads, and cutting off their hands and feet; many of them he likewiſe commanded to be ſold; and ſlew 600 men of them at *Gildeford*, with various and cruel deaths; whoſe Souls are believed now to rejoyce with the Saints in Paradice, ſeeing their bodies were ſo cruelly ſlain in the fields without any fault; which Queen *Emma* hearing of, ſent back her Son *Edward*, who remained with her, with greateſt haſte into *Normandy*. After which, by the command of Earl *Godwin* and ſome others, Prince *Alfred* being bound moſt ſtraitly in chains, was carried Priſoner to the Iſle of *Ely* by ſhip; where he no ſooner arived, but his eyes were moſt cruelly pulled out, and ſo being led to the *Monaſtery*, was delivered to the Monks to be kept; where he

ſoon

ſoon after died, and was there interred. (z) *Some* add, that after *Alfreds* eyes were put out, his belly was opened, and one end of his bowels drawn out and faſtened to a ſtake, and his body pricked with ſharp needles or poyneyards forced about, till all his intrails were extracted: in which moſt ſavage torture he ended his innocent life. *Ranulphus Ciſtrenſis* in his Polychronicon, l. 6. c. 21. relates, that *Godwin* uſed this ſtrange cruelty towards thoſe *Normans* that came over with *Alfred*, whom he twice decimated at *Gildeford*; that he ripped up their bellies, and faſtned the ends of their guts to ſtakes, that were reared and pyght in the ground, and laid the bodies about the ſtakes till the laſt end of the guts came out.

(z) [z] *Will. Caxton, Fox Acts & Monuments, Vol. 1. p. 210, 211.*

The Author of the Book called *Encomium Emmæ*, and (a) *Speed* out of him, writes, That *Harold* was no ſooner eſtabliſhed King, but that he ſought meanes how to rid Queen *Emma* ſecretly out of the way; and maliciouſly purpoſing took counſel, how he might train into his Hay the ſons of Queen *Emma*, that ſo all *occaſions of danger againſt him, might at once for all be cut off*. Many projects propounded, this laſtly took effect; that a Letter ſhould be counterfeited in Queen *Emma's* name unto her ſons *Edward* and *Alfred*, to inſtigate them to attempt the Crown uſurped by *Harold* againſt their right. The Tenor of which Letter you may read in *Speed*. This Letter being cunningly carried, & digeſted by *Alfred* as favoring of no falſhood, he returned anſwer, he would come ſhortly over to attend his Mothers deſigns: which *Harold* being informed of, forelayes the coaſts to apprehand him. Upon his comming on ſhore in *England*, Earl *Godwin* met him, and binding his aſſurance with his corporal Oath, became his Leige-man and guide to Queen *Emma*; but being wrought firm for *Harold*, treacherouſly led theſe Strangers a contrary way, and lodging them at *Guildford* in ſeveral Companies, there tithed

(a) *Speeds Hiſtory, p. 405.*

and murthered them as aforesaid.

[b] *Historiarum, l.6. p.365.*
[c] *Col. 935, 936.*
[d] *Acts and Monuments, Vol.1. p.210, 211. Grafton, p.178,179.*

(*b*) *Henry Huntindon*, the (*c*) *Chronicle of Bromton*, *William Caxton* in his Chronicle, and another *Historian* mentioned by (*d*) Mr. *Fox*, record, that this murther was after the death of King *Harde-Cnute*. When the *Earls and Barons* of *England* by common assent and counsel sent into *Normandy* for these two Brethren *Alfred* and *Edward*, intending to crown *Alfred* the elder Brother, and to make him King of *England*; *and to this the Earls and Barons made their Oath.* But Earl *Godwin* of *West-Sax* sought to slay these two brethren so soon as they came into *England*, to the intent he might make *Harold* (his own son by *Cnutes* daughter, or sister maried to him) King; as some of these affirm; Others of them relate, that he intended only to destroy *Alfred*, being an *Englishman* by the Father, but a *Norman* by the Mother, whom he foresaw to be a person of such honour and courage, that he would disdain to mary his daughter, or to be swayed by him; and then to mary his daughter *Godith* to *Edward* the younger Brother, and to make him King, as being of a more milde and simple disposition, apt to be ruled by him. Hereupon *Godwin* went to *Southampton* to meet with the two Brothers at their landing. It fell out, that the Messengers sent into *Normandy*, found only *Alfred* there, *Edward* being then gone into *Hungarie* to speak with his Cosen *Edward the Outlaw*, *Ironsides* son. When *Alfred* heard these Messengers tydings, he thanked God, and in all hast sped him to *England*, ariving at *Southampton* with some of his Mothers kinred, and many of his fellow-Souldiers of like age, who were *Normans*. Whereupon *Godwin* intimated to the Nobles of *England*, *That* Alfred *had brought over too great a company of Normans with him, and had likewise promised the lands of the Englishmen to them, and therefore it would not be safe to instirpate such a valiant and crafty Nation amongst them. That these ought to undergoe exemplary punish-*

puniſhment, leſt others by reaſon of their alliance to the King, ſhould preſume to intrude themſelves amongſt the Engliſh. And then poſting to *Southampton*, welcomed and received *Alfred* with much joy, pretending to conduct him ſafe to *London*, where the Barons waited for to make him King, and expected his comming; and ſo they paſſed forth together towards *London*. But when they came to *Guild-down*, *Godwin* ſaid to *Alfred*, *Look round about thee on thy right hand and left, and behold what a kingdom ſhall be ſubjugated to thy Dominion.* Upon which *Alfred* giving thanks to God, preſently promiſed, that if it happened he ſhould be crowned King, **he would conſtitute ſuch Laws as ſhould be pleaſing and acceptable both to God and Man.** Which words were no ſooner uttered, but the Traytor *Godwin* commanded all his men to apprehend *Alfred*, and to ſlay all the *Normans* that came with him in his company: and after that to carry *Alfred* into the Iſle of *Ely*, and there to put out both his eys, and to pull out his bowels; which they accordingly executed as aforeſaid. And ſo died this innocent *Alfred*, right heir to the Crown, through the Treaſon of wicked *Godwin*. (*e*) When the *Lords* of *England* heard thereof, and how *Alfred* that ſhould have been their King was put to death, **through the falſe Treaſon of Godwin, againſt their wills,** *they were wonderfull ſorrowfull and wroth,* **and ſwore before God and Man, that he ſhould die a worſer Death than did Edric, which deſtroyed his Lord Edmond Ironſide:** *and would immediately have put him to death, but that the Traytor fled, and eſcaped into* Denmark, *and there continued 4. yeares and more, and laſt all his Lands, Rents, Goods and Chattels in* England, *confiſcated in the mean time for this his Treaſon.*

(*e*) *Chronicon Iohan. Bromton Col. 935, 936. William Caxtons Chronicle, part. 6. Fox Acts and Monuments vol. 1. p. 211. Propoſit. 8.*

Theſe Hiſtorians, though they ſomewhat vary in the time and occaſion of Prince *Alfreds* death, yet they all agree in the ſubſtance of his and of his

Norman Souldiers and Campanions treacherous, barbarous murders, by the joynt or seperate treacherie of Earl *Godwin*, and his son *Harold*: Which how fatal it proved to them both, by Gods avenging Justice, you shall hear in its due place, and what divine vengeance it drew at last on the whole English Nation, religious and judicious [f] Mr. *John Fox* informes us in these words. This cruel fact of *Godwin*, and his men against the innocent *Normans*; whether it came of himself, or of the Kings setting on, seemeth to me **to be the cause why the justice of God did shortly after avenge the quarrel of these Normans**, in conquering and subduing the *English* Nation, by *William* the Conqueroun, and the *Normans* which came with him. **For so just and right it was, that as the Normans coming with a natural English Prince, were murdered of English men; so afterwards the Englishmen should be slain and conquered by the Normans, coming with a foreign King, being none of their natural Country.**

[f] *Acts & Monuments, Vol. 1. p. 210.*

Proposit. 8.

After the banishment of Queen *Emma* out of, and murder of Prince *Alfred* in *England* [g] *Harde-Cnute* delaying the time in *Denmark*, and deferring his coming in o *England*; thereupon *Harold*, (formerly King only of the *Mercians*, and *Northumbrians*,) that he might reign over all *England*, in the year 1037. **A Principibus et omni Populo Rex eligitur**; was elected King by all the Nobles and People. *Harde-Cnutus verò, quia in Denmarchia manserat, et ad Anglian, ut rogabatur, venire distulit*, **penitus abjicitur**, as *Florentius Wigornienſis*, *Simeon Dunelmenſis*, *Hoveden*, *Bromton*, *Radulphus de Diceto*, and others inform us. After which King *Harold* degenerating from *Cnute* his Father in all things, took no care at all either of military or civil affairs, nor of his own Courtly honour, doing only his own will, and contrary to his royal estate, going more willingly on foot, (of which he was so swift, that he was named *Harefoot*) than riding on

Anno 1037. [g] *Florentius Wigorn. Sim. Dunelm. Radul. de Diceto, Hoved. Bromton, Malmesb. Huntindon, Polychronicon, Fabian, Caxton, Holinshed, Grafton, Speed.*

Proposit. 9.

on Horſeback. *In his dayes there were rendred and paid to 16 Ships from every Port* (not In-land Towns) *8. marks of Silver, as in the time of his Father*; as (*b*) *Henry Huntindon* records: to which (*i*) *John Speed* ſubjoynes; *This* Dane *ſeeing his hazards prevented, ſought to ſecure himſelf, and with 16 Ships of the* Daniſh *Fleet kept the Seas, which continued ever in a readineſs and waſted from port to port: to the maintenance whereof, he charged the Engliſh with great payments,* **to their no little grudge and reviling**; *whereby he loſt the love of his Subjects before it had taken root in their hearts. Neither held he long thoſe diſloyal courſes, for that his ſpeedy death did cut off the infamy of a longer life, he dying at* Oxford, *where he was elected King, without wife or children to ſurvive his perſon, or revive his name, when he had reigned only 4. years, and as many moneths*, Anno 1040.

[b] *Hiſt. l. 6. p.* 365.

[i] *Hiſtory of Great Britain, p.* 425.

Propoſit. 1.

Upon the death of [*h*] *Harold*, **Proceres tam Anglorum, quam Danorum in unum concordantes ſententiam**; the Nobles both of the *Engliſh* and *Danes* (aſſembling together in a Parliamentary Council) and concording in one opinion, ſent Embaſſadours to *Harde-Cnute*, then at *Bruges* in *Flanders*, viſiting Queen *Emma* his Mother (where he had made great preparation of ſhips and land-forces, to recover the Crown of *England*, which belonged to him both by birth and compact, from his brother *Harold*) beſeeching him, to make haſt into *England*, *and to take poſſeſſion of the Crown thereof*. Whereupon he immediately conſenting to the Counſel of the Nobles, came ſpeedily into *England with* 60, as ſome, or 40 *ſhips*, as others write, *furniſhed with Daniſh Souldiers and Mariners*; where he was received with great joy, **elected King both by the Engliſh and Danes**, and ſolemnly crowned at *London* by *Elnothus* Archbiſhop of *Canterbury*. Soon after he commanded *Alfric* Archbiſhop of *Yorke*, Earl *Godwin*, and others, to digg up the interred corps of his brother King *Harold* out of his

Anno 1040.

(*k*) *Malmesb. De Geſtis Reg. l.* 2. *c.* 12. *Ingulphus*, *Mat. Weſtm. Flor. Wigornienſis, Sim. Dunelm. Radulphus de Diceto, Bromton, Huntindon, Hoveden, Knyghton, Polychron, Caxton, Fabian, Holinſhed, Grafton, Speed.*

his grave in *London*, and *his head to be cut off by the hangman*, and then both head and corps to be thrown into the Common sink, and after that into the *Thames*. And that partly in revenge of the injuries done by him to his Mother Queen *Emma*, in banishing and spoiling her of her money and jewels, against all right and justice: and partly for his unjust invasion of the Crown of *England*; but in truth, as a just retaliation of his barbarous cruelty to Prince *Alfred* and his *Normans*. For whose treacherous inhumane slaughter, King *Harde-Cnute* deprived *Alfred* Bishop of *Worcester* of his Bishoprick, whose hands were said to have been in *Alfreds* bloud. And for which murder he likewise looked with an evil eye upon Earl *Godwin*, compelling him to *an Oath of Purgation* touching the same. Whereupon *Godwin* by his own Oath, and the Oaths of most of the Nobles of the Realm his compurgators swore, (though most falsly) *That Prince* Alfreds *eyes were not put out, nor he murdered* (*as aforesaid*) *by his Counsel or consent, but what was done therein, was only by the command of King* Harold, *which he durst not resist*. Notwithstanding which Oath, to purchase his peace with *Harde-Cnute*, he presented him with a most rich and royal present, to wit, with a Ship, whose stern was of gold, with 80 Souldiers placed therein, all uniformly and richly suited, having on their heads gilt Burgonets, on their armes bracelets of Gold, on their bodies, Habergeons, Swords, Battel-axes, Targets, and other arms after the *Danish* fashion, all richly gilt, with gilt bosses and darts in their hands. Which Present, though it pacified the Kings indignation, yet it prevented not Gods avenging justice on him afterwards for *Alfreds* bloud; thus partly avenged on *Harolds* carcasse, which was cast into the *Thames*, and mangled according to *Hard-Cnutes* command, and lay floting on the water sundry dayes, till a Fisherman in compassion took up his corps, and buried it privately in St. *Clements Danes*.

Soon

Soon after *Harde-Cnute* in the ſecond year of his reign, *commanded* 8. *Marks to be paid to every Mariner*; *Some write* 20. *others* 30. *marks, to every Shipwright of his Daniſh Navy*; beſides a vaſt ſum of money to his Land-Army: *Hujus anno ſecundo redditus eſt Cenſus Exercitui Dacorum, ſcilicet* 21000 lib. & 89 lib. *Et poſtea ſunt reddita* 32. *puppibus*, 11000 lib. & 48. lib. writes (*l*) *Henry Huntindon*: **Tributum inexorabile et importabile Angliæ impoſuit,** *ut Claſſiariis ſuis per ſingulas naves viginti ac triginti marcas ex pollicito penſitaret.* **Quod dum importune per Angliam exigitur, duo infeſtus hoc munus exequentes, a Wigorniæ Civibus extincti ſunt**; as* *Will: of Malmsbury* expreſſeth it. *Hic etiam contra omnem ſpem octo Marcas unicuique remigi Claſſis ſuæ* **de importabili tributo Angliæ** *ſolvi fecit*, So [*m*] *Bromton*; Which *Florentius Wigornienſis, Hoveden, Simeon Dunelmenſis, Matthew Weſtminſter, Polychronicon, Caxton, Fabian, Holinſhed, Grafton* and *Speed*, thus more at large relate. Anno 1040. *Octo Marcas unicuique ſuæ claſſis Remigi*, et 12. unicuique gubernatori **de tota Anglia præcepit dependi, Tributum videlicet tam grave, ut vix aliquis id poſſit perſolvere. Quapropter omnibus qui prius adventum ejus deſiderabant magnopere, factus eſt exoſus ſummopere.** Anno 1041. *Harde-Cnute King of England*, Huſcarlas miſſit per omnes regni ſui Provincias: *Or*, Miniſtros ſuos per omnes fines regni deſtinavit; *ſent his Officers through all the Counties & parts of the Realm, to exact and collect the Tribute which he had impoſed, without ſparing any, and to furniſh his Mariners with all neceſſaries from thence. Two of which Officers* Faeder *and* Turſtin *exacting this Importable Tribute with great rigour and cruelty from the Inhabitants of the County and City of* Worceſter, *were thereupon tumultuouſly ſlain by them in a Monaſtery, whither they fled for Sanctuary, on the 4th day of May. The King being very much incenſed therewith, ſent* Godwin *with all the reſt of the Earls of* England,

Anno 1040. 1041.

Propoſit. 1.

[*l*] *Hiſtor. l.* 6. *p.*365.

* *De Geſt. Reg. l.*2. *c.*12. *p.*76.

[*m*] *Chronicon, col.*933.

land, *and almost all his Officers and whole army thither, to avenge their deaths, commanding them to slay all the men if they could, & to pillage and burn the whole City and County; who coming thither the* 2. *of* November, *wasted the City and County for* 4. *dayes space, but took or slew few of the City or County, because they having notice of their coming, fled all away to an Iland in the midst of* Severn *called* Beverage, *which they fortified, and so long manfully defended against their Enemies, til they had recovered their peace, and obtained leave quietly to return to their homes. Whereupon on the fifth day they burnt the City, every one returning with great booties*; and thereupon the Kings wrath was pacified, but his reputation much ecclipsed, and the affections of the people lost by that cruelty and Tax;

Propositi. 1. Which it seems was imposed by his own arbitrary power, without any Grant or common consent in a Parliamentary Council. **Unde cunctis qui prius ejus adventum optaverant in Angliam exosus effectus est,** writes [n] *Mat. Westminster: Contumeliam famæ & amori suo detrimentum ingessit*, adds (o) *Malmsbury*. This whole Tribute amounted but to 32137 l. which came not to the moity of one Moneths Contribution, or Excise in our dayes. (p) *John Speed* and some others write, *That* Earl Godwin *devising how the Crown might be worn by him or his, to separate the hearts of the Subjects from the Prince, (than which there can be no greater wound unto both)* **caused the King to impose heavy Tributes upon the English, only to pay the Danes in his Fleet,** *appointing every common Souldier and Mariner to receive* 8. *Marks in money, and every Officer and Master* 12. *amounting to the summ of* 32147 l. *for the payment whereof there was so great a grudge, that two of his Collectors were slain by the Citizens of* Worcester; *which caused their City to be burnt, and part of the County to be spoiled by the Kings command, and their Bishop* Alfred *expulsed the See, til with money he had purchased his peace.* But observe Gods Justice on this Exactor and Tax-imposing

[n] *Flores Hist. p.* 412.

[o] *De Gestis Reg. l.* 2. *c.* 12.

(p) *History of Great Britain, p.* 407.

posing King, soon after his cruelty at *Worcester*, as he was *revelling and carrouzing amidst his cups at* Lambheth *at a solemn Mariage-feast between a* Danish Lord, *and* Gotha *an* English Lady, *he suddenly fell down dead to the ground without speech or breath, not being lamented nor desired, by reason of his* **unwonted Taxes**, *excesse and riot.* Yea, so far were all sorts from bewailing him, (*q*) *that in regard of their freedom from the Danish yoak which they attained, ever since among the Common people, the 8. of June (the very day of his death) is annually celebrated with open pastimes in the street* (as the old Romans kept their *Fugalia* for chasing out their King,) *which time is now called* Hoc-tide, *or* Herextide, *signifying a time of scorning or contempt, which fell upon the* Danes *by his death, when he had voluptuously and oppressingly reigned over the* English *not full two years, wanting ten dayes thereof.*

[q] Speed, ibidem.

Now here take special notice of Gods exemplary justice upon King *Cnute*, the *Danish* Usurper and Invader of other mens Crowns and Kingdoms, by treachery, bloud, war, treason, the murders of *Edmund Ironside*, Pr. *Edwin*, and *Alfred*, and exile of the Royal posterity. His base Son *Harold* dispossessed his Legitimate Son *Harde-Cnute* of the Crown of *England*, contrary to his will and contract, banished and spoiled his own Queen *Emma* of her Treasure and Jewels, oppressed the people with Taxes, and was soon cut off by death, without any issue. *Harde-Cnute* after his death digs up his Brother *Harolds* corps, beheads, and then throws it into the common sink & Thames, incurs Gods and his Peoples hatred by his Oppressions, Taxes, Luxurie; and is taken away suddenly in the midst of his age, without issue, before he had reigned two years. His Son (*r*) *Swane* to whom he bequeathed the Kingdom of *Norwey* (which he got by treachery, bribery, force, and the expulsion, murder of their rightfull pious King *Olaus*) was expelled both out of *Norwey* and *Denmark*

[r] *Florentius Wigornienſis, Sim. Dunelm. Hoveden, Brompt. Radulph. de Dice-to, and Mat. weſtm. An.* 1045, to 1054

Denmark, too by *Magnus* the Sonne of *Olaus*; the Englisſh Army ſent by *Harde-Cnute*, to reeſtabliſh him in the Kingdom of *Norwey*, routed in the field, and ſo forced home thence with diſhonour, leaving *Magnus* in poſſeſſion, not only of *Norwey* but *Denmark*, which he conquered, and made Tributary to him. Thus were all his three Sons, within 8 years ſpace after *Cnutus* death, quite ſtript of all their three Kingdoms, acquired by war, blood, conqueſt, treachery, and the *Engliſh* and *Norwegian* royal lines reſtored to their rights and Crowns again. What perſons then in their right ſences would impiouſly ſpend much treaſure levied on the oppreſſed people by violence, rapin, unceſſant Taxes, Exciſes, or ſhed much human Chriſtian blood, to purchaſe other mens Crowns, Kingdoms, which are not only full of cares and troubles, but ſo unſtable, ſhort and momentary in their fruition, as is moſt evident by the *Daniſh* Intruders?

CHAP.

CHAP. V.

Containing a Brief Hiſtoricall Collection *of all the* Parliamentary Councils, State-Aſſemblies, Hiſtoricall Paſſages, *and* Proceedings *that concern the* Fundamentall Liberties, Priviledges, Rights, Properties, Laws, and Government *of the* Nation, *under the reign of* King Edward the Confeſſor, *from the year of our Lord* 1042. *to* 1066. *wherein he died.*

KING *Hardi-Cnute* being ſodainly taken out of this world without iſſue by divine Juſtice on the 6 day of *June Anno* 1042. thereupon the *Earls and Barons* of *England*, immediately after his death, aſſembled together in a *Great Council*, about the election of a New King: Wherein (a) OMNES ANGLORUM MAGNATES *ad invicem tractantes*, DE COMMVNI CONCILIO ET JURAMENTO STATUERUNT, QUOD NUNQUAM TEMPORIBUS FUTURIS ALIQUIS DACUS SUPER EOS IN ANGLIA REGNARET; *& hoc maxime pro contemptibus quos Angli à* Danis *ſæpius acceperunt*, &c. as the Chronicle of *Bromton* & others informe us: All the Nobles of the Engliſh treating together decreed by common advice, which they ratified with an oath; THAT IN TIMES TO COME NEVER ANY DANE (or perſon of the Daniſh blood) SHOULD REIGN OR BE KING OVER THEM IN ENGLAND

Anno 1042.

(a) Chro. *Joh. Bromton* col. 934. *Fox* Acts and Monum. vol. 1. p. 200. 212. *Speeds* Hiſt. p. 410. *Wigornienſis. Sim. Dunelmenſis Rad. de Diceto. Mat. Weſtminſter. Huntindon, Hovedon, Polychronicon. Fabian, Caxton, Holinſhed, Grafton.*

GLAND ANY MORE; *disclaiming* all Danish subjection; *& that especially for the contempts which the English had very often received from the Danes. For if a Dane had met an Englishman upon any bridge, the Englishman must not be so hardy to move a foot, but stand still till the Dane was passed quite over it. And moreover, if the Englishmen had not bowed down their heads to doe reverence to the Danes, they should presently have undergone great punishments and stripes. Whereupon* King Harde-Cnute *being dead, the* English *rising up against them, drove all the Danes, being then without a King and Captaine, out of the Realm of* England, *who speedily quitting the land, never returned into it afterwards.*

(b) *Page* 223. 224. 225.

And here we may justly stand still a while, and contemplate the admirable retaliating justice of God upon our Danish usurping Kings and their Posterity: *King Cnute* as you heard before, caused the temporizing English Bishops, Nobles and Barons assembled in a Parliamentary Council, against their oaths of allegiance to King *Ethelred, Edmund Ironside* and their heirs, no less then twice one after another, to *renounce, cast off, and abjure their regall Posterity*, to make them *incapable of the Crowne of England, and settle the inheritance of it upon him and his Danish blood.* Anno 1016. and 1017. And now in little more then twenty years after, all the English Prelates and Nobles assembled in Council, of their own accords, by a solemn Decree and Oath, abjure, renounce, and eternally disinherit all the Danish blood-royall of the Crown of *England*, and restore the Saxon English royall line to that soveraignty, which they had formerly disclaimed: such are the vicissitudes of divine Justice and providence, worthy our observation in these wheeling times wherein we live, when no man knoweth what changes of like nature (c) *one day or year may bring forth.*

(c) Prov. 27. 1.

(d) *Bromton* col. 934. *Hoveden, Huntindon, Malmesb. Math. Westm.* Fox, Speed, Caxtons *Chro. part.* 6.

The English putting their Decree for cashiering *all the Danes in execution*, (d) *turned them out of all the Castles, Forts, Garrisons, Cities, Villages throughout* England, as well

well thoſe of the *Royall* and *Noble blood*, as the vulgar ſort, and forced them to depart the Realm, as they had formerly baniſhed the Engliſh Princes and Nobles. (e) *Procerei igitur Anglorum jam* DACORUM DOMINIO LIBERATI, The Nobles therefore of *Engl.* being thus freed from the Danes dominion, for ſo much of God of his mercy and providence (who is the maker of heirs) thought good after the woſull captivity of the Engliſh Nation, to grant them ſome reſpite of deliverance in taking away the *Daniſh Kings* without any iſſue left behinde them, who reigning here in England kept the Engliſh people in miſerable ſubjection about the ſpace of 28 years, and from their firſt landing in the time of King *Brithricus*, waſted and vexed this land for the ſpace of 255 years: their Tyranny now coming to an end by the death of *Harde Cnute*; they thereupon aſſembling together in a great Council, with a generall conſent, elected Prince *Edward* (ſurnamed the *Confeſſor*, the youngeſt and onely ſurviving ſon of King *Ethelred*) *for their King*; who ANNUENTE CLERO ET POPULO LONDONIIS IN REGEM ELIGITUR, as (f) *Mat. Weſtminſter* relates; whereupon *Edward* being then in *Normandy*, where he had long lived in exile, being a man of a gentle and ſoft ſpirit, more appliable to other mens counſels then able to truſt his own, & naturally ſo averſe from all war & bloodſhed, that he wiſhed rather to continue all his life long in a private exiled eſtate, then by war or blood to aſpire to the Crown) the Lords ſent meſſengers to him, *to come over and take peaceable poſſeſſion of the Kingdome of England, they having choſen him for their King, adviſing him to bring with him as few Normans as he could, and they would moſt faithfully eſtabliſh him in the throne.* *Edward*, though at firſt he much doubted what courſe to ſteer, ſomewhat miſtrufting the treachery and inconſtancy of the fickle headed Engliſh, yet at laſt upon the importunity of the meſſengers, who informed him (g) *melius eſſe ut vivat glorioſus in Imperio,*

(e) *Huntindon* Hiſt. l. 6. p. 365 *Bromton* col. 934. *Fox* vol. 1. p. 210. 212. *Speed* p. 410. Propoſ. 5. 6. 8.

(f) *Flores* Hiſt. P. 415.

(g) *Malmsbur. de Geſtis Reg.* l. 2. c. 13.

perio, quàm ignominiosus moriatur in exilio. JURE EI COMPETERE REGNUM, *ævo maturo laboribus defæcato, scienti administrare principatum per ætatem severè, miserias Provincialium pro pristina æquitate temperare,* &c. and upon putting in sufficient pledges, and an *oath given* for his security, he came into England with a small train of *Normans*, where he was joyfully received by the Nobles and people. *Nec mora, Gilingeam* (or rather *Londoniam*) CONGREGATO CONCILIO, *rationibus suis explicitis regem effecit, Dominio palam ab omnibus dato*, as *Malmsbury*; or *electus est in Regem ab omni populo*, as (h) *Huntindon* and others expresse it. After which on Easter day, *Apr* 2. 1043. he was solemnly crowned King at *Winchester*, with great pomp, by *Eadsi* Arch-bishop of *Canterbury*, by *the unanimous consent of the Archbishops, Bishops, Nobles, Clergie and people of England*, to their *great joy and content*, without the least opposition, war or blood-shed, after 25 yeares seclusion from the Crown by the Danish usurpers.

Our (i) Historians generally record, that *Bryghtwold* a Monk of *Glastenbury* (afterwards first Bishop of *Wilton*) when King *Cnute* had banished, and almost extinguished the whole royal issue of the English race, almost past any possibility or probability of their restitution to the Crown, which he had forcibly invaded by the sword; on a certian night fell into a sad deep contemplation of the forlorn condition of the royall Progeny of the English nation, then almost quite deleted by the Danes, and of the miserable condition of England under these forraign usurpers. After which falling into a deep sleep, he saw in a vision the Apostle S. *Peter* himself, holding Prince *Edward* (then an exile in *Normandy*) by the hand, and anointing him King in his sight: who declared to him at large how holy this *Edward* should be, that his reign should be peaceable, and that it should continue for 23 years. After which *Bryghtwold* being yet unsatisfied who should succed him, and doubting of *Edwards* off-spring

(h) Hist. l. 6. p. 365.

(i) Malmesb. *de Gestis Reg. l. 2. c. 13. de gest. Pontif. Angl. l. 2. c. 13. p. 249. Mat. Westm. An.* 1055. *p.* 422. Hen. Huntind. *Hist. l. 6. Sim. Dunelmensis Hist. col.* 136. *Polychronicon l. 6. c. 18. Alredus Abbas de vita & miraculis Edwardi Confessoris col.* 373. *Chron.* Joh. Bromton *col.* 909. 955. H. de Knyghton. *de Emeribus Angl. l. 1. c.* 3. Antiquitates *Eccl. Brit. p.* 88, 89. Speeds *Hist. p.* 410. *Ribadenira* and *Capgrave* in the life of king *Edward*.

off-ſpring, demanded of S. *Peter*, who ſhould ſucceed him? whereunto S. *Peter* returned him this anſwer, REGNUM ANGLIÆ EST REGNUM DEI, ET IPSE SIBI REGES (or REGEM as ſome render it) PROVIDEBIT. *The Realm of England is God's Kingdome, and he himſelf ſhall provide Kings, or a King for himſelf, according to his good pleaſure.* Yea the golden legend of *King Edward's* life informs us, THAT HE WAS CHOSEN KING OF ENGLAND BY CONSENT OF PARLIAMENT WHILES HE WAS YET IN HIS MOTHERS WOMB, as well as after *Hardi-Cnute's* death. Take the relation of it in (*k*) *Abbot Ailreds* words; and of *Brightwolds* viſion likewiſe. *Cum igitur glorioſus Rex* Ethelredus *ex filia præclariſſimi comitis* Thoreti *filium ſuſcepiſſet* Eadmundum, *cognomento* Ferreumlatus, *ex Regina autem* Emma, Aluredum; *beatus* Edvardus *inter* Viſcera *materna concluſus utriq; præfertur agente eo qui omnia operatur ſecundum concilium voluntatis ſuæ, qui dominatur in regno hominum, & cui voluerit dat illud.* FIT MAGNUS CORAM REGE EPISCOPORUM PROCERUMQUE CONVENTUS, *magnus plebis vulgique concurſus*, & quia jam futuræ cladis indicia ſæva præceſſerant, AGITUR INTER EOS DE REGNI STATU TRACTATUS. *Deinde Rex ſucceſſorem ſibi deſignare deſiderans,* QUID SINGULIS, QUI DVE OMNIBUS VIDERETUR EXPLORAT. *Pro diverſorum diverſa ſenentia res pendebat in dubio. Alii enim* Eadmundum *ob invictiſſimum robur corporis, cæteris æſtimant præferendum: alii ob virtutem* Normannici *generis* Aluredum, *promovendum tutiùs arbitrantur. Sed futurorum omnium præſcius, prioris breviſſimam vitam, alterius mortem immaturam proſpiciens, in puerũ nec dum natũ* UNIVERSORUM VOTA CONVERTIT. *Utero adhuc clauditur, & in Regem eligitur, non natus natis præfertur, & quem nec dum terra ſuſceperat, terræ dominus deſignatur. Præbet electioni* REX CONSENSUM, *læti* PRÆBENT PROCERES SACRAMENTUM, *& inuſitato miraculo* IN

(k) *De vita & miraculis Edw: Confeſſoris.* col. 372. 373.

Propoſ. 5. 6. 8.

Ejus FIDELITATE JURARUNT, *qui utrum nasceretur ignorarunt. Tua hæc sunt opera*, Christe Jesu, *qui omnia operaris in omnibus, qui electum & dilectum tibi ante mundi constitutionem plebis tui rectorem hiis indiciis declarasti; quem licèt per illos, non tamen illi, sed tu potius elegisti. Quis enim non videat nec aptum usui, nec conveniens tempori, nec consonum rationi, nec humano ferendum fuisse sensui, ut omissis filiis legitimis & adultis, hostili gladio imminente, parvulus, necdum natus* ELIGERETUR IN REGEM *quem in tali necessitate nec hostes metuerent, nec cives revererentur. Sed omnipotens Deus Spiritum prophetiæ voci simul & affectui plebis infudit, præsentia mala spe futuræ consolationis temperans, ut sciant omnes in totius regni consolationem regem futurum, quem ab ipso Deo, plebe nesciente quid fecerit, nullus dubitaret electum. Sævibat interim gladius hostilis in* Anglia; *cadibus & rapinis omnia replebantur, ubique luctus, ubique clamor, ubique desolatio. Incenduntur ecclesiæ, monasteria devastantur, & ut verbis propheticis utar,* effuderunt sanguinem sanctorum in circuitu Jerusalem, & non erat qui sepeliret. *Sacerdotes suis fugati sedibus, sicubi pax & quies aliqua in monasteriis vel locis desertis inveniebatur, communem miseriam deplorantes delitescebant. Inter quos venerabilis* Bryghtwaldus Wintonienſis *Episcopus, cœnobium* Glastonienſe *mœrens & tristis ingressus, orationibus vacabat & psalmis. Qui cum aliquando pro Regis, plebisque liberatione preces lacrymasq; profunderet, quasi in hæc verba prorumpens.* Et tu, inquit, Domine usque quo? usque quo avertis faciem tuam, obliviscens inopiæ nostræ & tribulationis nostræ? Sanctos tuos occiderunt, altaria tua suffoderunt, & non est qui redimat, neque qui salvum faciat. Scio Domine, scio, quia omnia quæ fecisti nobis, in vero judicio fecisti: sed nunquid in æternum projiciet Deus, & non opponet & complacitus sit adhuc? erit ne Domine Deus meus, erit ne finis horum mirabilium? aut in æternum tuus in nos mucro desæviet, & percutias usque ad internecionem? *Inter preces tandem*

&

& lachrimas ſatigatum ſoper ſuavis excepit; viditq; per *ſomnium cæleſtem chorum cum lumine, beatiſſimumque* Petrum *in eminenti loco conſtitutum, dignum tanta majeſtati habitum præferentem. Videbatur ante eum vir præclari vultus in forma decenti regalibus amictus inſignis, quem cum propriis manibus Apoſtolus conſecraſſet & unxiſſet in regem, monita ſalutis adjecit, præcipuèque cælibem vitam commendans, quot eſſet annos regnaturus aperuit. Obſtupefactus Præſul tanti novitate miraculi, petit ſibi à ſancto viſionis hujus myſterium revelari: de ſtatu inſuper regni & inſtantis ſine periculi apoſtolicum exegit oraculum. Tunc factus vultu placido in tuum intuentem.* Domini, *inquit*, o Præſul, Domini eſt regnum, ipſe dominatur in filiis hominum. Ipſe transfert regna, & mutat imperia, & propter peccata populi regnare facit hypocritam. Peccatum peccavit populus tuus Domino, & tradidit eos in manus Gentium, & dominati ſunt etiam qui oderunt eos. Sed non obliviſcitur miſereri Deus, nec continebit in ira ſua miſericordias ſuas, Erit enim, cum dormis cum patribus tuis ſepultus in ſenectute bona, viſitabit Dominus populũ ſuũ, & faciet redemtiõnem plebis ſuæ Eliget enim ſibi virũ ſecundum cor ſuum qui faciet omnes voluntates ſuas; qui me opitulante regnũ adeptus, *Anglorum Danico* furori finem imponet. Erit enim acceptus Deo & gratus hominibus, amabilis civibus, terribilis hoſtibus, utilis eccleſiæ. Qui cum præſcriptum terminũ regnandi in juſtitia & pace compleverit, laudabilem vitam ſancto fine concludet. *Quæ omnia in beato* Edwardo *completa rei exitus comprobavit; Expergefactus Pontifex rurſus ad preces lacrimaſque convertitur, & licet felicitatem ſuæ gentis non eſſet ipſe viſurus, de malorum tamen fine certus effectus, gratias agens Deo plurimum gratulabatur: Factus igitur animaquior, populis pœnitentiam prædicabat, quibus Deus miſericordiam non defuturam conſtantiſſime pollicebatur.*

From theſe paſſages whether *reall*, or many, as *fictitious* as ſome repute them, I ſhall onely obſerve theſe reall Truths.

1. That

1. That in King *Ethelreds* reign, great Parliamentary Councils were usually assembled, to consult of the weighty affairs, state, if not succession of the Realm of *England*.

2. That godly men in all ages have been deeply affected with the misery, exile, disinheriting, and extirpation of the Royal Issue and Posterity, by invading forreign usurpers, and with the oppressions of their native countrey under their usu ped power; and have poured forth frequent and fervent prayers unto God in secret, for their restitution and relief.

3. That the Nobility, Clergy and people of *England* have ever had a propense naturall inclination and affection to the true royall Blood and Posterity of the Nation, though forcibly constrained to abjure and renounce them for a season by prevailing Intruders; electing them for their Kings, and preferring them before all others upon the very next opportunity to vindicate their rights and liberties, and rejecting the usurpers and their race.

4. That though the Kings of *England* were usually reputed hereditary, yet in truth they were for the most part actually elected by the Prelates and Nobles in parliamentary Councils, and appointed by the generality of the Clergy and people, and had oaths of allegiance given to them by their subjects.

5. That God doth many times beyond all probability and expectation, restore disinherited Princes to their Crowns, of which they have been forcibly deprived after many years dispossession, and without any wars or effusion of blood, even by the Nobles and peoples own voluntary choice and act, without their seeking: as he did here restore *Prince Edward* after 25 years interruption, and *Aurelius Ambrosius* long before to the British Crown, to omit all others.

6. That Crowns invaded, ravished by force of armes and bloodshed, are seldome long or peaceably enjoyed by the usurpers themselves or their posterity, that of *Curtius* being an experimentall truth, (*l*) *Non est diuturna possessio in quam gladio inducimur.*

(l) *Hist.* l. 3. p. 396.

All

All which we find experimentally verified in this Hiſtory of King *Edward* his election and reſtitution to the Crown of *England*, worthy our ſpecial obſervation.

King *Edw.* coming to the Crown, was not onely very charitable to the poor, humble, merciſull and juſt towards all men, but alſo PLURES LEGES BONAS IN ANGLIA STATUIT, *quæ pro majore parte adhuc in regno tenentur.* Whereupon about the year 1043. (as the *Chronecle of Brompton*, (m) *William Caxton*, in his Chronicle, and Mr. *Selden* inform us) Earl *Godwin*, a fugitive in *Denmark* for the murther of prince *Alfred*, hearing of his piety and mercy, reſolved to return into England, humbly to implore his mercy and grace, that he might have his lands again that were confiſcated: having provided all things for his voyage, he put to ſea and arrived in *England*, and then poſted to *London*, UBI REX ET OMNES MAGNATES AD PARLIAMENTUM TUM FUERUNT, Where the King and all the Nobles were then at a parliament; here he beſeeched & intreated his friends & kindred, who were the greateſt Lords of the land after the King, that they would ſtudy to procure to him the Kings Grace and friendſhip, who having thereupon taken deliberate counſel among themſelves, led him with them before the King to ſeek his Grace: But ſo ſoon as the King ſaw him he preſently appealed him of TREASON, & of the death of *Alfred* his brother, and uſing theſe words unto him, ſaid; THOU TRAITOUR GODVVIN, I THEE APPEAL FOR THE DEATH OF ALFRED MY BROTHER WHOM THOU HAST TRAITEROUSLY SLAIN. To whom *Godwin* excuſing himſelf, anſwered, *My Lord and King, ſaving your Reverence, and Grace, Peace, & Lordſhip, I never betrayed, nor yet ſlew your Brother:* unde ſuper hoc pono me IN CONSIDERATIONE CURIÆ VESTRÆ; *whence I put my ſelf upon the conſideration and judgement of your Court concerning this matter.* Then ſaid the King KARISSIMI DOMINI, COMITES ET BARONES TERRÆ, &c.

(m) *Col.* 937. 938.
(n) *Chron. pars* 6.
(o) Titles of Honour. *part.* 2. *ch.* 6. *ſect.* 5.
Prop. 2. 4. 5. 6.

Most dear Lords, Earls and Barons of the land, who are my Liege-men now here assembled, you have heard both my appeale and Godwins *answer*, Volo quod inter Nos in ista appellatione, RECTUM JUDICIUM DECERNATIS, ET DEBITAM JUSTITIAM FACIATIS: *I will that between us in this appeale you award right Judgement and do due Justice.* COMITIBUS VERO ET BARONIBUS SUPER HOC AD INVICEM TRACTANTIBUS. *Hereupon the Earls and Barons debating upon this businesse among themselves, some among them were different in their opinions from others in doing just judgement herein. For some said, that* Godwin *was never obliged to the King,* (so *Bromton*, to *Alfred* writes *Caxton*) *by homage, service, or fealty; and therefore* HE WAS NOT HIS TRAITOUR, *and that he had not slain* Alfred *with his own hands. But others said,* Quod Comes, nec Baro, nec aliquis Regi subditus, BELLUM CONTRA REGEM IN APPELLATIONE SUA DE LEGE POTEST VADIARE: *That neither the Earl nor any Baron, nor any Subject to the King, could by the Law wage Battel against the King in his Appeal, but ought wholy to put himself in his mercy, and to offer him competent amends. Then* Leofric *Earl of* Chester (or Coventry, as *Caxton*) *a good man towards God and the world, spake and said: The Earl* Godwin, *after the King, is a man of the best parentage of all England; and he cannot deny but that* BY HIS COUNCEL Alfred *the Kings Brother was slain; wherefore I award as touching my part, that himself and his son, and every of us,* DUODECIM COMITES, *the twelve Earls who are his friends and kinsmen, should go humbly before the King laden with as much gold and silver as every of us can carry between his arms, offering that to him for his trespasse, and submissively deprecating, that he would pardon all his rancour and ill-will to the Earls, and receiving his homage and fealty, he would restore and redeliver his lands intirely to him: Unto which award* THEY ALL ACCORDING, *they all laded themselves with treasure in the manner aforesaid, and*

going

going to the King, declared unto him the order and manner of their JUDGEMENT, *or* AVVARD. QUORUM CONSIDERATIONI REX CONTRADICERE NOLENS, QUICQUID JUDICAVERANT PER OMNIA RATIFICAVIT. *The King not willing to contradict them in any thing they had judged, ratified the ſame in all things. An agreement therefore being made between them in this manner, the Earl preſently regained all his lands.*

The generality of our Hiſtorians (as *Bromton* confeſſeth) deny that *Godwin* ever fled into *Denmark*, or left *England* for the murder of *Alfred*; they generally affirming, that he purged himſelf thereof (though falſly) CORAM PROCERIBUS, before the Nobles in the reign of *Harde-Cnute*; ſwearing with his compurgators *that he never conſented to his death* NISI REGIA VI COACTUS, but through compulſion by royall violence. Recording likewiſe, that after the death of King *Harde-Cnute*, Prince *Edward* was called out of *Normandy*, and *elected King, principally by the help and counſel of Earle* Godwin *himſelf*, who (as *Malmeſbury* and others write) *perſwaded him to accept the Crown*, and *precontracted with him before he came into* England: Paciſcatur ergo ſibi amicitiam ſolidam, filiis honores integros, filiæ matrimonium; brevi futurum ut ſe Regem videat, qui nunc vitæ naufragus, exul ſpei, alterius opem implorat. Utrinque fide data, quicquid petebatur ſacramento firmavit. If there were then any ſuch Parliament as this then held at *London*, and ſuch proceedings in it concerning *Godwin* it was moſt probably in the year 1043. as I here place it. And from theſe memorable proceedings in it, we may obſerve,

(p) Malmesb. *De geſt. Regum. l.2.c.12. Mat. Weſtm. Sim. Dunelmenſ. Wigorn. Huntind. Hoved. Polichron. Fab. Speed, Holinſh. Graſt.*

(q) *De geſt. Regem l.2.c.13. p.80.*

1. That there is mention onely of the King, Earls and Barons preſent in this Parliament as members of it, not of any Knights of ſhires, Citizens or Burgeſſes elected by the people, of which there is not one ſyllable.

2. That the Earls and Barons in Parliament were the onely Judges in that age in Parliament between the King

and his Nobles, ſubjects, both in criminal and other cauſes there decided.

3. That Peers in that age were onely tryed and judged by their Peers, for treaſon and capitall offences.

4. That appeals of Treaſon were then tryed in Parliament, and the Earls and Barons the ſole Judges of them, and of what offences were Treaſon and what not.

5. That the Biſhops and Clergy in that age had no votes in matters of Treaſon and capitall offences.

6. That the Judgement of Parliament then reſted properly in the Earls and Barons, not the King: and that their judgement was not repealable by, but obligatory to the King himſelf.

7. That no Subject could then by law wage battel againſt the King in an Appeal.

8. That the murther of Prince *Alfred*, then heir to the Crown, in the time of *Harold* an actuall King by uſurpation without any good title, by his command, was reputed a treaſonable offence in Earl *Godwin*, for which he forfeited his lands, and was forced to purchaſe his pardon and lands reſtitution with a great fine and ſumme to the King.

(r) In his Epiſtles to *Hiſtoria Anglica Scriptur. p. 41.*

9. That though the Author of the Chronicle of *Bromton* (& *Caxton* out of him) ſtile this Aſſembly PARLIAMENTUM, a Parliament, not a COUNCIL, yet it is onely according to the ſtyle of the age wherein he writ (being in the reign of *King Edward the third*) as (r) Mr. *Selden* proves, not according to the dialect of the age wherein it was held; to which the term *Parliamentum* was a meer ſtranger, and CONCILIUM MAGNUM, &c. the uſual name expreſſing ſuch Aſſemblies.

Anno 1043. (s) *Malmesbur. de geſt. Reg. l. 2. c. 13. Flor. Wigornienſ. Mat. Weſtm. Sim. Dunelmenſ. Ann.* 1042. 1043. *Bromton. col.* 936. 937. *Hoved. Annal. pars* 1. *p.* 439. *Polychronicon. l.* 6. *c.* 33. *Faban, Caxt. Holinſh. Grafton, Speed.*

(s) King *Edward*, *Anno* 1643. immediately after his Coronation came ſuddenly from *Gloceſter* to *Wincheſter*, attended with Earl *Godwin*, *Siward* and *Leofric*, and by their advice forcibly took from his Mother Queen *Emma*, all her gold, ſilver, jewels, and precious ſtones, and whatever rich things elſe ſhe poſſeſſed, commanding onely

onely neceſſaries to be adminiſtred to her there. The cauſe of which unjuſt act, ſome affirm to be *Godwins* malice towards her; others affirm it to be, her unnaturalneſſe to King *Ethelred* her firſt husband, and her own ſons by him, *Alfred* and *Edward*; In loving and marrying *Cnute* their enemy and ſupplanter, when living, and applauding him when dead, more then *Ethelred*. In advancing *Harde-Cnute* her ſon by him to the Crown, and endeavouring to deprive *Alfred* & *Edward* thereof. In refuſing to give any thing toward Prince *Edw:* his maintenance whiles in exile and diſtreſſe, although he oft requeſted her to ſupply his neceſſities. In having ſome hand in the murther of Prince *Alfred*, and endeavouring to poyſon King *Edward* himſelf, as the Chronicle of *Bromton* relates. After which, by the inſtigation of *Robert* Archbiſhop of *Canterbury*, a *Norman* born, he againe ſpoiled her of all ſhe had, and ſhut her up priſoner in the *Abbey* of *Werwel*, upon ſuſpition of incontinency with *Alwin* Biſhop of *Wincheſter*, from which falſe imputation ſhe purged her ſelf and the Biſhop, by paſſing barefoot over nine red hot ploughſhares without any harm. Whereupon the King craved mercy and pardon from her for the infamy and injury done unto her; for which he was diſciplined and whipped by his Mother, and all the Biſhops there preſent. Propoſ. 2. 4.

Anno 1044. (*t*) There was GENERALE CONCILIUM CELEBRATUN, a General Council held at *London*, wherein *Wolmar* was elected Abbot of *Eveſham*. And this year King *Edward* DE COMMUNI CONCILIO PROCERUM SUORUM, as *Bromton* and others write (moſt likely when aſſembled in the Council at *London*) married *Edith* daughter of Earl *Godwin in patrocinium regni ſui*, he being the moſt potent man in all the Realm; there being in her breaſt a magazine of all liberall vertues. And this ſame year (moſt probable by this ſame Council's Edict) *Gunilda*, a noble Matron, *King Cnute*'s ſiſters daughter, with her two ſons *Hemming* and *Thurkell*,

Anno 1044. (*t*) *Flor. Wigorienſ. Sim. Dunelmenſ. Hovedon, Mat. Weſtm. Malmsb. Geſt. reg. l. 2. c. 13. Holinſh. Graſton.* Propoſ. 5. 2.

kell, were baniſhed out of *England* into *Flanders*, from whence after a little ſtay they departed into *Denmark*:

Anno 1045. (u) *Flor. Wigorn. Sim. Dunelm. Huntind. Bromt. Polychronic. Fabian, Speed.* Propoſ. 3. 9.

(v) *King Edward* in the year 1045. aſſembled together to the port of *Sandwich* a very numerous and ſtrong Navy, againſt *Magnus* King of *Norway*, purpoſing to invade *Engl.* But *Swane* King of *Denmark* then warring upon him, hindered his voyage for *England*. The next year 1046. *Oſgodus Clapa* was baniſhed out of *England*.

Anno 1047. (x) *Wigornienſ. Sim. Dunelm. Hovedon, Mat. Weſtmiſter, Malmesb. Bromton*, & others. Propoſ. 6. 9.

(x) *Swane* King of *Denmark Anno* 1047. ſent Ambaſſadours to King *Edward*, deſiring him to ſend a *Navy to him againſt Magnus* King of *Norway*. Hereupon Earl *Godwin* counſelled the King, *to ſend him at leaſt fifty ſhips furniſhed with ſouldiers*: *Sed quia* Leofrico comiti, ET OMNI POPULO *id non videbatur conſilium*, & CÆTERI PROCERES DISSUASERUNT, *nullum ei mittere voluit*. But becauſe that Council ſeemed not good to Earl *Leofric and all the people*, and the reſt of the *Nobles* diſſwaded him from it, he would ſend no ſhips to him. *Magnus* furniſhed with a great Navy fought with *Swane*, and after a great ſlaughter on both ſides, expelled him out of *Denmark*, reigned in it, and compelled the Danes to pay him a great Tribute.

Anno 1048. (y) The Authors in (x.) Propoſit. 3. 9.

(y) *Harold Harvager* King of *Norwey*, *Anno* 1048. ſent Ambaſſadours to King *Edward*, offering peace and friendſhip to him, which he embraced. Alſo *Swane* King of *Denmark* ſent other Ambaſſadours to him this year, requeſting a naval aſſiſtance of ſhips from him. But although Earl *Godwin* was willing, that at leaſt fifty ſhips ſhould be ſent him, yet none were ſent, becauſe Earl *Leofric*, OMNIS QUE POPULUS UNO ORE CONTRADIXERUNT, and all the people contradicted it with one voice. (z) Abbot *Ingulphus* records, That *Wulgat* Abbot of S. *Pega*, whoſe Abbey was quite deſtroyed and burnt to the ground by the Danes, had a long ſuit in the *Kings Court* with three Abbots of *Burgh*, concerning the ſeat of his Abbey, eſpecially with Abbot *Leofric*, with whom he moſt ſtrongly contended: *Sed*

(z) *Hiſtoriæ p.* 295. 296.

Regis

Regis curia nimium favente potentiori, & contra pauperem ſententiante, tandem ſedem monaſterii ſui perdidit. Tanta fuit Abbatis Leofrici *pecunia & tanta Comitis* Godwini *potentia*, which he thus repeats. *Illo in tempore venerabilis Pater* Wulgatus *Abbas* Pegelandiæ *diutiſſimam calumniam paſſus ab Abbatibus Burgi*, Elfrico, Arwino & Leofrico, *Abbatiæ ſuæ ſedem amittens tandem ſuccubuit, & (proh nefas!) totum ſitum monaſterii ſui* JUDICIO REGALIS CURIÆ PERDIDIT. *Tantum tunc potuit ſuper Juſtitiam pecunia, contra veritatem verſutia, & in* CURIA *regis* Hardecnuti Godwini *potentia.* After which he addes, that in the year 1048. when the ſaid Abbot *Wulgat* having loſt the ſite of his Monaſtery, had laid the foundation of a new Monaſtery in his Manor of *Northburt*, next adjoyning to the old, intending to tranſlate his Abbey thither, and diligently laboured to reedifie a Church, Dormitory, with other clauſtral offices there, being aſsiſted with the alms of many believers, *Fernotus*, a Kt. Ld. of *Boſworth*, openly ſhewd out of the Abbots own writings, that the ſaid Manour of *Northburt* was given by his progenitors to the Monaſtery of S. *Pega* and to the Monks there ſerving God, whence by conſequence he alledged, *That ſeeing Abbot* Wulgat *and his Monks did not ſerve God and S.* Pega *from that time forwards in that place (where the old Monaſtery ſtood) that they ought not from henceforth to enjoy the ſaid Manour. Acceptatum eſt hoc* A REGIS JUSTITIARIO, ET CONFESTIM ADJUDICATUM EST *dictum manerium de* Northburt *cum omnibus ſuis pertinentiis prædicto militi Fernoto, & tanquam jus ſuum hereditarium, de monachis eccleſiæ ſanctæ* Pegæ, *alienatum perpetuo & ſublatum. Quod tunc per univerſum Regnum citius fuiſſet cognitum, ſcilicet* Abbatum de Peikirk, *prius amiſiſſe monaſterium ſuum, & conſequenter manerium ad monaſterium quondam pertinens; ſimiliter Edmerus miles & dominus de Holbrok calumniam movit contra eundem Abbatem & monachos ſuos de manerio ſuo de* Makſey; & Horſingus

Propoſit. 45.

de

de Wathe *calumniatus est, & pro Manerio suo de* Badingtō, & Siwardus Comes *de Manerio suo de* Bernack, & Hugolonus *Thesaurarius de Manerio de* Helieston, *& alii plures de aliis mane iis dicto Monasterio dudum pertinentibu ; & omnes eadem ratione in dicta causa contra Monachos obtinuerunt, & tam de maneriis, quam de Monasterio suo dictus Abbas de Peibec ac Monachi sui nequiter & crudeliter ejecti sunt, ut nunquam alicui veniat damnum solum. Cum itaque Abbas* Wulgatus *& conventus suus, Monachi scilicet, &c sic de Monasterio destituti, vagabundi & in proximo dispergendi in omnem ventum pro extrema miseria fluctuarent, misertus eorum piissimus Rex* Edwardus, *omnes in suam curiam suscepit, & usquequo eis provideret, suam capellam, ac aulam quotidie frequentare imperavit.* The Abbot of *Croyland* dying soon after, and his pastorall staff by which he was invested, being presented by the Prior and two Monks to King *Edward*, the King thereupon immediately invested *Wulgatus* in the Regiment of the Monastery of *Croyland* by the delivery of the Pastorall staff unto him, seconded with his Charter of donation, without any election by the Covent. *Inter præcipua Monasteria tunc magno nomine prædicabatur* Croilandia, *tot & tanta in tempore Danicæ Tribulationis in Regis curiam semper manu promptissima effuderat donaria* ET TRIBUTA. *A multis itaque annis retroactis,* NULLA ELECTIO PRÆLATORUM ERAT MERE LIBERA ET CANONICA, SED OMNES DIGNITATES TAM EPISCOPORUM QUAM ABBATUM PER ANNULUM ET BACULUM REGIS CURIA PRO SUA COMPLACENTIA CONFEREBAT.

(a) *De gest. reg. l. 2. c. 13. p. 79. 80.*

These proceedings and judgements against the Abbot & Monks of S. *Pega* and *Peikirk*, were the occasion (as I conceive) of this passage in *William* of *Malmesb.* touching King *Edwards* reign. *Fuerunt tamen nonnulla quæ gloriam temporum deturbarent. Monasteria tunc monachis viduata ;* PRAVA JUDICIA A PRAVIS HOMINIBUS COMMISSA, &c. *Sed harum rerum invidiam*

am amatores ipſum ita extenuare conantur: Monaſteriorum deſtructio, PERVERSITAS JUDICIORUM, *non ejus ſcientia, ſed per* Godwini *filiorumque ejus ſuæ commiſſa violentiam, qui regis indulgentiam videbant; poſtea tamen ad eum delata, acriter eorum exilio vindicata.* To which may be referred that ſtory of *Walter Mapens*, in Mr. *Cambdens Britannia*, p. 374. 375. of Earl *Godwins* thruſting the Abbeſſe of *Berkley* and her Nunnes out of the Monaſtery of *Berkley* (which he begged of King *Edward*) by this wile; *He cauſed a young Nephew of his feigning himſelf ſick, to lie ſo long in the Nunnery till he left the Abbeſſe and all her Nunnes great with child: and then complaining of, & proving this their incontinency before the King, ejected the Abbeſſe and Nunnes, and gained the Nunnery and Manour of* Berkley *to himſelf, worth* 500l. *revenue.* Together with this (*b*) *Godwins* cheating the Archbiſhop of *Canterbury* of his Manour of *Boſeam* in *Suſſex*, by a wily *word-trap* and equivocation, recorded by the ſame authors.

(b) *Camdens Britan. Suſſ. p.* 307.

King *Edward*, *Anno* 1049. was ſo deeply affected and raviſhed with Gods extraordinary mercy towards him, in preſerving him like another *Joaſh* from the cruelty of the bloody *Danes*, and reſtoring him beyond expectation to the Crown of *England*, without his ſeeking, or the leaſt effuſion of blood, after ſundry years diſpoſſeſſion by the *Daniſh Intruders*, that thereupon, *he vowed a ſolemn pilgrimage to Rome, there to render humble thanks and gifts to God for this ſignall mercy.* For diligently having prepared great ſummes of money to defray his expences, with many rich preſents, *he aſſembled all the Nobles and Prelates of the Realm in a Parliamentary Council, acquainting them with this his vow and intended pilgrimage, and craving their advice, how the Realme might be juſtly governed, preſerved in peace, and defended in his abſence, till his returne from Rome.* Upon which the Nobles after ſerious conſultation, conſidering the great inconveniences and perils that might befall the kingdome by his abſence, being but newly ſetled; and the manifold dangers

Anno 1049. (c) *Mat. Weſtm. An.* 1049. *p.* 416.

Propoſ. 5. 6. 9.

dangers that might happen to him in ſo long a journey; and what new troubles and miſhaps might befall the Realm, if he ſhould miſcarry in the way, having no iſſue; *would by no meanes permit him to undertake this pilgrimage, but diſſwaded him from it; and by common conſent at laſt agreed to ſend ſolemn Ambaſſadours from the King and them to the Pope, to repreſent the inconveniences and perils that might befall the Realm by his abſence from it, and thereupon to procure a diſpenſation from this his vow and pilgrimage.* Which the Ambaſſadours accordingly repreſenting, the Pope thereupon diſpenſed with the Kings vow, upon this condition and firme injunction, *that the King ſhould diſtribute to the poore all the expences he had provided for his journey, and ſhould either build a new, or repaire an old Monaſtery, in honour of* S. Peter, *the Prince of the Apoſtles, and endow it with ſufficient revennues to maintain the Monks; confirming by his Apoſtolicall Authority all the lands or revenues which the King or any other ſhould conferre upon that Monaſtery, and whatever priviledges he would think fit to grant thereunto, pertaining to the honour of God and denouncing an eternall malediction againſt the infringers of them.* The Ambaſſadours returning with this diſpenſation, St. *Peter* revealed to one *Ulſin* a Monk and Anchorite, that his will was, *that the place called* Weſtminſter (then lying ruinous) *ſhould be reſtored*: which viſion when he had related to the King and his Council, REX TOTIUS REGNI CONSILIO, *The King by the advice of the whole Realme* (aſſembled in a parliamentary council) *rebuilt the foreſaid place, and endowed and enlarged it with very ample poſſeſſions, rents and liberties.*

(d) *De vita & Mucanilis* Edwardi *confeſ. col.* 379. 380. 381. *&c.*

The paſſages of this ſtory being very memorable, and pertinent to my diſcourſe, I ſhall preſent you with them at large in the words of Abbot *Ailred*, who thus records them. (*d*) 'Succedentibus proſperis, Rex beatus 'nequaquam ſui ſponſionis eſt oblitus, nec in die bo-'norum, immemor fuit malorum. Sed cogitans & Prop. 5. 6. 9. 'recogitans quanta ſibi fecerit Dominus, qui ditavit

'ege-

egenum, ſublimavit humilem, inglorium coronavit, parat reddere vota quæ diſtrinxerunt labia ejus. Parat ſumptus, ſeparat donaria, VOCATISQUE TOTIUS REGNI PRIMATIBUS, habuit cum eis hujuſmodi, vel DE STATU REGNI, vel DE SUA PEREGRINATIONE SERMONEM:

"*Benedictus Deus qui magnificavit miſericordiam ſuam facere nobiſcum, qui viſitavit in virga iniquitates noſtras, & in verberibus peccata noſtra, pietatem ſuam non amovit à nobis. Ecce quomodo depoſuit potentes, & exaltavit humiles; quomodo eſurientes implevit bonis, & divites dimiſit inanes. Per me Reges regnant, ait ipſe, & principes juſta diſcernunt. Non excidit à nobis quomodo intrantibus in hæreditatem noſtram barbaris, facti ſumus opprobrium vicinis noſtris, ſubſannatio & illuſio his qui in circuitu noſtro ſunt. Aliis namque interfectis, aliis fugatis, aliis jugo ignominioſæ ſervitutis oppreſſis, ferè nihil honoris, nihil gloriæ generi noſtro reliquerunt. Tandem defuncto Patre meo, patribus peremptis, actis in exilium Nepotibus cum hoſtibus noſtris in omnibus fortuna faveret, mihi profectò nihil ſpei ſupereſſe videbatur. Ego verò contra ſpem in ſpem credens, & Domini miſericordiæ me totum dedens, peregrinationem meam ad ſanctorum Apoſtolorum limina vovi, & deinceps divinæ me protectioni diſpoſitionique commiſi. Ille autem reſpexit in orationem meam, & non ſprevit precem meam, & abſtulit obprobrium meum, & reſtituit me in regnū Patris mei: inſuper cumulavit divitiis, auxit gloriâ, donis cœleſtibus illuſtravit; SINE SANGUINE REBELLES SUBEGIT, hoſtes ſubvertit & omnia noſtra amabili quadam compoſuit pace. Abſit, abſit ut tot & tantis ejus beneficiis inveniamur ingrati, quin potius de manu inimicorum noſtrorum liberati, ſerviamus illi in juſtitia & veritate. Faciamuſque quod ait Propheta; Vovete & reddite Domino Deo veſtro. DECERNITE ERGO MECUM, QUOMODO ME PEREGRINANTE REGNUM SUBSISTAT ANGLORUM, QUA LEGE, QUA PACE, QUO JUDICE OMNIA DISPONANTUR: QUIS CUI PRÆFERATUR REGI-*

Propos. 5. 6. 9. 'ONI, QUIS CASTRA, QUIS URBES, QUIS PRIVATA, QUIS PUBLICA NEGOTIA PROCURET. *Erit enim unus omnibus Custos &* PROTECTOR DEUS, *& pacem quam dedit, ipse servabit, nobiscum proficiscens, & vobiscum remanens, qui & vos custodiat, & me reducat.*

Ad hanc vocem tota illa multitudo contremuit, & interiorem produnt lachrymis suspiriisque dolorem. Jam jamque manus Danica timebatur quam ejus meritis evaserant, jamjamq; deletum iri totam patriam formidabant. Erupit sermo in populum, & ecce clamor, ecce tumultus, & quasi jam sævirent incendia, plena lacrimis insula videbatur. Videres pauperes nunc manus extendere ad cœlum, nunc rursus in terram ruere, & quasi morituros fame si Rex discederet, de sepultura tantum & tumulo cogitare. *Tunc* OMNES IN COMMUNE VOCIFERANTES IN REGEM, *se non deserendos, se non exponendos gladiis, patriam hostibus non prodendam, nec demittendũ paces obsiaẽ quem Deo dante receperant, nec pro uno, ut putabatur, bono tot* ADMITTENDA PERICULA ALLEGABANT. IMPERANT PONTIFICES, ROGANT PROCERES, PLEBS EXTORQUET, *ut si non omittendũ iter istud censuerit,* CENSEAT VEL DIFFERENDUM. Tunc ille tot lacrimis, tot vocibus, tot precibus se urgeri sentiens, diu inter pietatem & desiderium fluctuabat; quia & voto supersedere periculosum, & tantorum precibus fletibusque non cedere, inhumanum arbitrabatur. Tandem quod aptius esset Deo scire desiderans, peregrinationem non quidem dimittendam sed differendam interim consultius æstimabat, donec Apostolicæ auctoritatis consilio & voluntate consulta, ex ejus sententia, aut votum redimeret aut impleret. His auditis, tanta fuit omnibus divitibus pauperibusq; lætitia, ut *Edwardum* suum rursus sibi redditum, rursus revocatum exilio æstimarent. Agit unusquisque pro gradu suo, pro officio suo, pro facultate sua, ut regem dilationis non tœdeat, aliis orationes, elemosinas aliis, suam etiam pro eo peregrinationem nonnullis promittentibus. Dirigendi mox ad sedem apostolicam ELIGUNTUR LEGATI, *Archiepiscopus Eboracensis Aelredus*, Episcopus *Wimoniensis Haymannus*, Abbates,

Abbates præterea duo ſpectatæ religionis, cum pluribus aliis tam clericis quam laicis. Parantur interim neceſſaria, ſuceptoque à rege mandato ad urbē proficiſcuntur. Credendum Dei actum providentiâ ut regii reſponſales congregatam ibi SYNODUM MAXIMAM reperirent, in qua præſidente beatæ recordationis Papa Leone, de negotiis eccleſiaſticis tractabatur. Gaudet in eorum adventu illa ſanctorum præclara ſocietas, & quaſi ſibi miſſum de cælo ſolatium tantorum Patrum præſentiam ſuſceperunt; magnum Dei munus judicantes, quod à finibus terræ tales viri tali tempore tali conventui occurriſſent. Igitur patre beatiſsimo præcipiente nuncii cauſam pro qua venerant dicturi procedūt in mediū, patribus qui aſsidebant præbentibus cum ſumma devotione ſilentium. Exponunt deſiderium regis, ET REGNI PERICULUM, diſpendium pacis, clamorem pauperum, lacrimas orphanorum; OBDUCTAM ETIAM NECDUM RECENTIS PLAGÆ CICATRICEM ASSEREBANT, QUÆ DANICA RABIE ANGLIS INFLICTA, SI REX DECEDERET, ACRIOR TIMEBATUR. Silentibus nunciis ſonuit in ore omnium gratiarum actio & vox laudis. Prædicatur circa Deum Regis, circa Regem plebis devotio; Mirantur manſuetudinem David, prudentiam Joſeph, divitias Solomonis in tali principe conveniſſe. Tandem ſummo Pontifice dictante ſententiam, OMNES IN COMMUNE DECERNUNT, PRO PACE REGNI, PRO UTILITATE ECCLESIÆ, pro neceſſitate pauperum, & quiete monaſteriorum, Regem auctoritate Dei & beati Petri, PRÆSENTIS ETIAM SACRATISSIMÆ SYNODI, à voti hujus vinculo ſolempniter abſolvendum, expenſas paratas itineri pauperibus erogandas; in voti recompenſatione conſtruendū in Honorē beati Petri regiis copiis monaſterium, vel aliquod deſtructum à barbaris reparandum. Exhinc legatarii oblatis muneribus quæ ſanctorum Eccleſiis Rex ſanctus direxerat, accepta benedictione Pontificis cum literis apoſtolicis læti repatriant: tranſvectiq; in inſulam IN CONSPECTU CONCILII, QUOD PROPTER HOC IPSUM REGIA POTESTAS COEGERAT, epiſtolam tradiderunt.

'Leo *Episcopus servus servorum Dei*, dilecto filio Edwardo *Anglorum Regi* salutem & apostolicam benedictionem. *Quoniam voluntatem tuam laudabilem & Deo gratam agnovimus, gratias agimus & si per quem reges regnant, & principes justa decernunt. Sed quia prope est Dominus in omni loco omnibus invocantibus eum in veritate, & sancti Apostoli cum suo capite conjuncti unus spiritus sunt, & pias preces aequaliter audiunt; Et* Quia Constat Periclitari Regionem Anglicanam Ex Tua Discessione Qui Fræno Justitiæ Tuæ Seditiosos Ejus Motus Cohibes. *Ex auctoritate Dei & sanctorum Apostolorum &* Sanctæ Synodi *absolvimus te à peccato illius voti pro quo Dei offensam times, & ab omnibus negligentiis & iniquitatibus tuis; eam nimirum potestatem usi quam Dominus in beato Petro concessit nobis, dicens, Quæcunque solveritis super terram, soluta erunt in cœlis. Deinde præcipimus tibi sub nomine sanctæ obedientiæ & pœnitentiæ, ut expensas quas ad iter istud paravaras, pauperibus eroges & cœnobium Monachorũ in honore sancti* Petri *apostolorũ principis aut novum construas, aut vetustum augeas & emendes, & sufficientiã victualium fratribus de tuis redditibus constituas, quatenus dum illi assidue inibi Deum laudaverint, & sanctis angeatur gloria, & tibi indulgentia: Cui loco quicquid contuleris vel collatum est, vel conferetur, ut ratum sit apostolica authoritate præcipimus, & ut semper habitatio Monachorum sit, & nulli laicæ personæ nisi regi subdatur. Et quæcunque privilegia ibi constituere volueris ad honorem Dei pertinentia, concedimus, & robustissima auctoritate confirmamus, & infractores eorum æterna maledictione dampnamus.*

Prayers then by this Popes decree are as effectuall and acceptable to God in any other place as in *Rome* it self.

Popes in that age determined no weighty matters, even in *Rome* it self, but by the major part or unanimous vote of a Synod.

After which Abbot *Ailred* at large relates the vision of the *Anchorite* in *Worcester*-shire, and S. *Peters* command to him therein, to eminent King *Edward* in discharge of his vow, *to repaire and endow the Abbey of Westminster*, which he *signified* in a letter sent by him to the King, delivered and read in the Council the very same day the Popes letter was read. *Ea igitur die, loco eo. ẽ,* In Eodem Concilio *quo legati redeuntes ab urb', apostolicum*

apoſtolicum retulere mandatum, epiſtola etiam viri Dei regi præſentata profertur in medium. Lectoque ſancti Papæ Leonis reſcripto, loco ſequenti beati ſenis apices recitantur, &c. *Tunc rex lætus & alacer, ut ei fuerat conſtitutum, pecuniam quam in peregrinationis ſuæ ſolatium procuraverat, diſperſit & dedit pauperibus, operique injuncto intendens animum theſauros effudit.* When he had fully rebuilt and finiſhed this Monaſtery, he ſent *Ældred* Archb. of *York*, *Guiſo* Biſhop of *Wells*, and *Walter* Biſh. of *Hereford* again to *Rome* to Pope *Nicholas*, with a Letter and *Peter* pence, and royall preſents, deſiring his abſolution from his former vow, and confirmation of the liberties and priviledges of the Abby of *Weſtminſter*, and the lands conferred on it; who thereupon granted to this Abbey. *Ut amplius in perpetuum regiæ conſtitutionis & conſecrationis locus ſit, atque repoſitorium regalium inſignium, & habitatio perpetua monachorum, qui nulli omnino perſonæ niſi regi ſubdantur, habeantque poteſtatem ſecundum regulam ſancti Benedicti per ſucceſſores eligere idoneos Abbates,* &c. *Abſolving and exempting the Abby from all epiſcopal ſervice, exaction, Dominion & Juriſdiction, ratifying all their lands and liberties, denouncing a perpetuall Anathema againſt the invaders, diminiſhers, diſperſers, or ſellers of them, with* Judas *the Traytor.* Cloſing his Bull and letter thus; *Vobis vero, & poſteris veſtris regibus committimus* ADVOCATIONEM *& tuitionem ejuſdem loci, &* OMNIUM TOTIUS ANGLIÆ ECCLESIARUM, *ut vice noſtra* CUM CONCILIO EPISCOPORUM ET ABBATUM, CONSTITUAS UBIQUE QUÆ JUSTA SUNT. *Scientes per hoc vos recepturos dignam mercedem ab eo, cujus regnum & imperium non deſinet nec minuetur in ſeculum.* The Kings and Popes letters are at large recorded by *Ailred*, who addes, *Lectis igitur Apoſtolicæ majeſtatis apicibus, exultavit in gaudio Rex beatiſſimus, omnique ſolicitudine quam ex voti obligatione contraxerat exuitur,* CUNCTAQUE REGNI NEGOTIA DUCIBUS PROCERIBUSQUE COMMITTENS, *totum ſe divinis mancipabat obſequiis.*

(e) Ailredus *Abbas Rivallis, de vitâ & miraculis* Edw. *Confeſſ. col.* 386. 387. 388.

(f) K. *Edw.* after theſe two Embaſſies to *Rome*, by three ſe-

(f) *Spelmani concil. p.* 626. to 637. Propoſ. 5. 10.

ſeverall *Charters* (wherein he recites theſe Embaſſies, the Popes letters in anſwer to them, and the viſion aforeſaid) CUM TOTIUS REGNI ELECTIONE: & CUM CONSILIO ET DECRETO ARCHIEPISCOPORUM, EPISCOPORUM, COMITUM, ALIORUMQUE MEORUM OPTIMATUM PROSPICIENS (aſſembled in a great parliamentary Council for that purpoſe) granted and confirmed ſundry lands and priviledges to this Abby of *Weſtm.* which all the Prelates confirmed, not onely with their ſubſcriptions and the ſign of the croſſe, but likewiſe with a ſolemn *excommunication*: In the firſt of which Charters there is this memorable recital agreeing with Abbot *Ailreds* relation.

(g) *Spelman. Concil. p. 628.*

'(g) *Edwardus* Dei gratia Anglorum Rex, &c. Scire vos 'volo, quoniam tempore avorum meorum, patriſq; mei, 'multa & gravia bellorum pericula afflixerunt gentem 'Anglorum, & ipſos tam â ſuis, quàm ab extraneis conci-'tata; adeo ut penè periclitata ſit HÆREDITARIA 'REGUM SUCCESSIO, magnumque interſtitium inter 'fratrem meum Edmundum, qui patri meo mortuo ſuc-'ceſsit, meque habitum ſit, invadentibus regnum *Swege-'no* & *Cnutho* filio ejus, Regibus *Dano-rum*, ac filiis ipſius '*Cnuthi*, Haroldo & *Harde-Cnutho*; à quibus & alter me-'us frater *Alfredus* crudeliter eſt occiſus, ſoluſque, ſicut 'Joas occiſionem Otholiæ, ſic ego crudelitatem eorum 'evaſi. Tandem reſpectu miſericordiæ DEI, POST 'PLURES ANNOS EGO EDWARDUS AD PATERNUM 'SOLUM REACCESSI, ET EO POTITUS SINE ULLO 'BELLORUM LABORE, ſicut amabilis Deo *Solomon*, 'tantâ pace & rerum opulentiâ abundavi, ut nullus an-'tecedentium regum ſimilis mei fuerit in gloria & divi-'tiis. Sed gratia Dei, non me, ut aſſolet, ex opulentia & ſuperbia contemptus invaſit; immo cœpi cogitare cujus dono & auxilio ad regni culmen evaſi, quoniam dei eſt regnum, & cui vult dare illud; & quia mundus tranſit & concupiſcentia ejus, qui autem totum ſe ſubdit Deo, feliciter regnat, & perpetualiter dives eſt: itaque deliberavi me ire ad lumina ſubliminum Apoſtolorum *Petri* & *Pauli*, & ibi gratias agere pro collatis beneficiis,

&

& exorare ut eam pacem firmaret Deus perpetuam mihi & posteris meis. Præparavi ergo & denumeravi expensas necessarias itineri; & honorabilia dona quæ ferrem sanctis Apostolis. SED GRAVIUS SUPER RE MÆROR HABEBAT OPTIMATES MEOS, utpote memores malorũ quæ sub aliis regibus pertulerant, NE TANTO DOMINO, ET PRO PATRIÆ REGE ABSENTE REGNŨ NOVITER SEDATUM ALIQUA TURBARETUR HOSTILITATE, & metuentes id quod sanctus Ezechias, ne si forte in via aut ægritudine, aut alio incommodo deficerem, HÆREDITARIIS REGIBUS CARERENT, maxime quia nullum habebam filium. Itaque COMMUNI HABITO CONCILIO, ROGABANT ME UT AB INTENTIONE DESISTEREM, pollicentes se satisfacturos Deo pro voto meo, tam in missarum & orationũ oblatione, quã in larga eleemosynarũ distributione. Sed cum obnixè contradicerem, TANDEM UTRISQUE PLACUIT, UT MITTERENTUR LEGATI DUO AB UTRAQ; PATRE, Eldredus & Heremannus Episcopi, & Abbates Wulfricus & Elwynus, qui Apostolo meã voluntatẽ & votum, & ILLORUM PETITIONEM indicarent, & secundum ejus sententiam quam mihi mandaret promisi me omnia facturum. Factum est ergo quod volumus, & venientes Romam Legati nostri ex voluntate Dei, invenerunt COLLECTAM SYNODUM in eadem urbe; cumq; exposuissent meam voluntasem & suam petitionem coram ducentis & quinquaginta Episcopis & alia multitudine sanctorum Patrum, tunc Apostolicus EX CONSILIO SANCTÆ SYNODI hanc Epistolam scripsit. Leo, *&c.* Hæc & alia Apostolica mandata cum referrent nobis Legati, interea revelavit beatus Petrus, &c, voluntatem suam esse, ut restituerem locum, qui dcitur Westmonasterium, &c. Cumque mihi hanc visionem meisque retulissent, & Apostolicæ literæ æqualia præcepta detulissent; contuli voluntatem meam cum voluntate Dei & TOTIUS REGNI ELECTIONE, dedi me ad restructionẽ ejusdem loci. Itaque DECIMARI præcepi omnem substantiam meam, tam in auro & argento quàm in pecudibus & omni genere possessionum, & destruens veterem, Prop. 3. 3. 9.

novam à fundamento basilicam construxi.

From which passages and charters (which I have coupled all together for their coherence in matter, though differing somewhat in time) I shall observe,

1. That parliamentary great Councils in that age, were summoned by the King upon all extraordinary occasions.

2. That the Prelates, Nobles, and Barons of the Realm were the onely members of the great parliamentary Councils (summoned onely by the Kings writs) without any Knights or Burgesses that we read of elected by the people.

3. That the Kings of *Engl.* in that age could not depart out of the Realm (no not to pay their solemn vows to God) nor appoint Vice-royes, Guardians, Officers, Judges, Commanders, to govern or defend the Realm in their absence, without the advice and consent of their Nobles, in parliamentary Councils: nor yet endow Monasteries with any Crown-lands, or Royal priviledges by their charters, unless by consent and confirmation of their Nobles and themselves in Parliament.

4. That the Nobles and grand Councils of *Engl.* had then a negative voyce, not onely to conclude against the King in his resolutions and intentions, but even in his sacred and religious vows, when prejudicial, dangerous & mischievous to the Realm, the publick peace & safety.

5. That Kings ought to submit to the just petitions, advice & desires of their Nobles, Councils and people, in all things which concern their safety & tranquil ity, though contrary not only to their private resolutions, but vows.

6. That the Nobles and Subjects of that age were very zealous both of the safety of their Kings persons, the kingdoms peace and security, and the hereditary succession of the Crown.

7. That the Kings absence out of the Realm, or death, without any hereditary issue or heir, is exceeding perillous and mischievous to the Realm, yea the cause of many seditions, tumults, perturbations and ruins.

8. That the sacred vows of Kings prejudicial to the Realm may and ought to be violated and dispensed with;

and

and that by the reſolution of two Popes, three Roman Synods, and two parliamentary Councils.

9. That God doth many times not onely preſerve the right heirs to the Crown from the hands of bloody Tyrants and Uſurpers who ſeek their life, but likewiſe miraculouſly and unexpectedly reſtore them to the Crown again without war or bloodſhed, after many years ſecluſion from it by intruding armed uſurpers, as he did K. *Edw.* here after 25 years invaſion of his right, *Aurelius Ambroſius* after 21 years long before.

10. That right heirs to the Crown, when ſo miraculouſly reſtored and reinthroned in their Kingdomes, ought to be extraordinarily affected with, and thankful, bountiful and devout to God for it, and their ſubjects likewiſe, both in words and deeds; as King *Edward* his Nobles and Subjects were.

(*h*) King *Henry* the Emperour, *An.* 1049. (when the forementioned parliamentary Council was held about the Kings pilgrimage and Embaſſy to *Rome*) warring upon *Baldwin* Earl of *Flanders*, for burning his palace, ſent to King *Edward*, intreating him *not to ſuffer* Baldwin *to eſcape, in caſe he ſhould flie to ſea.* Whereupon the King went with a great fleet to *Sandwich*, which he there continued ſo long till the Emperour received from *Baldwin* whatever he deſired. *Henry Huntindon* and the *Chronicle of Bromton* relate, that two Princes of the *Danes*, *Lothin* and *Hirling* the yeare before, having there taken an ineſtimable booty, and great ſtore of gold and ſilver, they ſailed by ſea about the coaſt of *Eſſex*, pillaged it, and ſailing thence into *Flanders*, there ſold their prizes, and returned from whence they came. Which probably occaſioned the kings drawing his fleet this year unto *Sandwich*, for defence of the coaſt, as well as the Emperours Embaſſy. Whiles the Kings fleet lay at *Sandwich*, *Swane* Earl *Godwins* ſon (who formerly fled into *Denmark*, becauſe he could not marry *Abboſſe Elgina*, whom he had defloured) returning into *England* with eight ſhips, gave out in ſpeeches, that he would from henceforth faithfully remain with the King. Whereupon

Anno 1049. (h) *Wigornienſ. Huntind. Hove. Radul. de Dicet. Sim. Dunelm. Bromt. Speeds* Hiſt. *p.* 411. *Holinſh. Graft.* and others. Propoſ. 3. 9.

on Earl *Beorn* promiſed him to procure from the King that his Earldome ſhould be reſtored to him. The Emperour and Earl *Baldwin* being agreed, Earl *Godwin* and *Beorn* by the Kings licenſe ſailed to *Pemruſe* with 42 ſhips, the reſt of the Navy the King diſcharged and ſent home, retaining onely a few ſhips with him. But being ſoon after informed, that *Oſgad Clapa* (whom he had baniſhed) lay in *Ulve* with 29. ſhips, he recalled as many of the diſmiſſed ſhips as he could, to encounter him. *Oſgad* having received his wife, ſailed with 6 of his ſhips into *Denmark*, the other 23 ſhips ſailed towards *Eſſex*, having taken a great booty about the promontory of *Edelfe*, they were all caſt away in a great ſtorm, but two, wch were taken in the parts beyond the ſea, & all the men in them put to the ſword. In the mean time *Swane* deale very deceitfully with Earle *Beorne*, intreating him to go with him to *Sandwich* to make his peace with the King; who conſidering his conſanguinity, went to him attended onely with three men. *Swane* treacherouſly ſending him to *Boſenham* where his ſhips rode at anchor, carried him on ſhip-board, bound him in chains, and at laſt ſlew and caſt him into a pit. After which two of his ſhips being taken by thoſe of *Haſtings* and brought to the King at *Sandwich*, and 4 more of his ſhips being diſmiſſed, he ſailed with two ſhips onely into *Ireland*, till *Ailred* Biſh. of *Worceſt.* reduced and reconciled him unto the King. The ſame year in the moneth of *Aug.* the Iriſh pirats with 36 ſhips arriving in the mouth of *Severn* by the help of *Griffin* King of *Southwales*, burnt and pillaged many villages, and put the inhabitants to the ſword; againſt whom *Ailred* Biſh. of *Worceſt.* with few of the inhabitants of *Worceſter* and *Hereford* ſpeedily marched; but the Welſhmen amongſt them, who had promiſed fidelity to them, ſending preſently to their K. *Griffin*, & intreating him with all poſſible ſpeed to fall upon the Engliſh; thereupon he and the Iriſh pirats aſſaulting the Engliſh unexpectedly early in the morning, ſlew many of them, and routed the reſt.

King

King *Edward* in the year 1051. releaſed the *Engliſh*, **From the heavy tribute or Danegeld,** which *Florentius Wigornienſis*, and *Simeon Dunelmenſis*, thus expreſſe. *Rex* Edvardus *Abſolvit* Anglos **A gravi vectigali.** 38. *anno, ex quo pater ejus Rex* Athelredus *Danicos ſolidarios ſolvi mandavit* &c. *quod eis pater ſuus propter Danicos ſolidarios impoſuerat*, as (i) *Brompton* renders it in another place; *Roger de Hunedon* Annalium pars 1. p. 441. *Rodolphus de Diceto Abbreviatione Chronicorum*, col. 145. uſe the ſame words. *Ailredus Abbas Rievallis*, de vitâ & miraculis Edwardi Confeſſoris Col. 383. thus relates it. *Inſuper &* **Tributum illud gravisſimum,** *quod tempore patris ſui primo claſſi Danicæ pendebatur* **Poſtmodum vero fiſco regio Annis ſingulis inferebatur, regia liberalitate remiſit, et ab onere hoc importabili in perpetuum Angliam abſolvit.** *Unde ſancto huic regi non inconvenienter aptatur quod ſcriptum eſt*; Beatus vir qui inventus ſine macula, *& qui poſt aurum non abiit, nec ſperavit in pecuniæ theſauris. Poſt aurum non abiit, quod potius diſperſit, nec ſperavit in theſauris, quos in Dei opere non tam minuit quam conſumpſit.*

Anno 1051.

Propoſition 1.

(i) *Chronicon.* col 938. 943.

(s) *Matthew Weſtminſter* records it in theſe words, Anno gratiæ 1051. Rex Edwardus, **A vectigali gravisſimo Anglos abſolvit,** *quod patre vivente,* **Danicis ſtipendiariis,** *Triginto octomillia librarum ſolvi conſuevit. Henry de Knighton*, De eventibus Angliæ. l. 1. c. 9. fol. 233. 1. and *Higden* in his Polychronicon. lib. 6. c. 24. f. 254. thus relate it: *Rex Edvardus abſolvit Anglos a* **Gravi Tributo** *quod patur ejus Ethelredus Danicis ſolidariis ſolvi fecerat, & jam per 40. annos duraverat*; which *Fabian* in his Cronicle, part 8. c. 210. p. 282. *Graſton* in his Cronicle. p. 170. *Speed* in his Hiſtory. p. 410. *Holinſhead* and others thus expreſſe. *This King* Enward *diſcharged Engliſh men of the great and moſt heavy* **Tribute called Danegeld,** *which his Father* Ethelred *had made them pay to the Souldiers of Denmark, and had then dured* 40. *years,* **So that after that day it was**

(t) *Flores Hiſt.* p. 418.

no more gathered. *Abbot Iuguphus.* Historiæ pag. 897. thus records it more at large. *Eodem etiam Anno* 1051. *cum terra non daret solitâ fertilitate fructus suos, sed fames plurimos habitatores devoraret, in tantum ut bladum carentia, & panis inopia multa hominum millia morierentur, miserecordiâ motus super populum piissimus Rex Edwardus,* **Tributum gravissimum, quod Danigelo dicebatur omni Angliæ in perpetuum relaxavit,** *Ferunt quidam, regem sanctissimum, cum dictum* DANIGELD *cubicularii sui collectum in regis cameram infudissent, & ad videndum tanti Thesauri cumulum ipsum adduxissent, ad primum aspectum exhorruisse, protestantem,* **se dæmonem super acervum pecuniæ saltantem & nimio gaudio exultantem prosperitate;** *unde* **pristinis possessoribus jussit statim reddere, & de tam fera exactione ne jota unum voluit retinere, quin in perpetuum remisit,** *anno scilicet* 38. *ex quo tempore Regis Ethelredi, patris sui Suanus, Rex Danorum* **suo exercitui illud solvi singulis annis imperavit.** This History of the *Devils dancing upon this Mony*, is thus more fully related by *Roger de Honeden:* Annalium pars prior pag. 447. *Item de eodem Rege Edvardo quadam die contigit quod cum præfatus Rex Anglorum Edwardus (Reginâ & comite Haraldo deducentibus) ærarium suum intravit* **ut pecuniam videret magnam,** *quam Regina & Comes Haraldus,* **Rege ipso nescience, colligissent ad opus Regis** (*scilicet* **per singulos comitatus totius Angliæ: de unaquaque hida terræ quatuor denarios, ut Rex** *inde, contra natale Domini* **pannos emeret ad opus militum & servientium suorum**) *cumque Rex intrasset ærarium suum, comitantibus Regnia, & Comite Haraldo,* **videt diabolum sedentem inter Denarios illos:** *& ait illi Rex, quid hic facis? cui dæmon respondit:* **custodio hic pecuniam meam;** *& dixit Rex, conjuro te per Patrem & Filium & Spiritum sanctum, ut indices mihi,* **Quamobrem pecunia ista tua est?** *& respondens dixit ei dæmon,* **Quia injuste acquisita est de substantia pauperum.** *Illi autem qui illum comitabantur*

Propositio. 1.

comitabantur ſtabant ſtupefacti, audientes quidem illos loquentes, neminem autem videntes prater ſolum Regem: & ait illis Rex, **Reddite denarios iſtos illis a quibus capti ſunt, & fecerunt ſicut præcepit illis Rex:** which is likewiſe remembred by *Capgrave, Surius, Ribadeniera*, and others in the life of *King Edward the Confeſſor*.

From all which relations compared together, it is apparent.

Firſt, That Dangeld was a great, moſt heavy, and intolerable Tribute, firſt impoſed in King Ethelreds reign, to pay the *Daniſh* Navy, and Souldiers then invading *England*, to keep them from plundering, and ſpoiling the people.

2. That King *Swane* the invading and uſurping Dane, after he had gotten the power of this Realm, impoſed it annualy on the Engliſh, and made it *any early Tribute to pay his Army*.

3. That the *Daniſh* ſucceding Kings continued, and made it a kind of annual revenue to cloath, and pay their Souldiers and Marriners, for ſundry years together.

4. That it was yearly paid unto the Kings Exchequer, and reduced to a certainty, to wit, four pence a year, out of every Hide, or plough land, thorowout *England*, or elſe twelve pence or two ſhilings a year; as the laws of *Edward the Confeſſor*: *the black Book of the Exchequer*; and Sir *Henry Spelman* in his Gloſſary, *Title Danegold*, affirms.

5. That King *Edwards* Officers after the *Daniſh* Kings expired reigne, did collect it of the *Engliſh* Subjects, without his privitie, to cloath, and pay his Souldiers and followers.

6. That he out of mercy, piety, conſcience and juſtice to his people; not only reſtored it to them, when collected, and brought into his Exchequer, without retaining one farthing of it, but likewiſe for

ever released it to them, so that it was no more collected, during his reign.

7. That Taxes unjustly leavied upon the poor oppressed people, are very pleasing and acceptable to the devill himself, who claimes the money so collected for his own; and that the Collectors, and exacters of such Taxes, (though for the payment of Armies and Souldiers) are really, but the devils agents, and instruments, who will one day pay them their deserved wages.

8. That heavy oppressions and taxes (though for pretended publike necessities) continued for many years together, ought not onely to be eternally remitted, but restored, when collected, by all conscientious, pious, righteous, mercifull, Saintlike Kings, and Governours.

9. That illegall heavy Taxes imposed by, or for invading Usurpers, if once submitted to, and not strongly opposed by the generality of the people, will soon be claymed, & leavied as a customary, early legall revennue; both by the imposers, and their successors, and hardly be laid down and discontinued again for the peoples ease.

10. That this tax of *Danegeld* amounting but to thirty eight or fourty thousand pounds in one whole year, was in truth, an heavy, and intolerable burden, and grievous oppression to the whole Nation, fit to be abolished, and released especially in times of dearth and scarcity; Therefore certainly our late illegal taxes, without authority of a free and legall Parliament, amounting to 120. 90. or 60. 1000 li. monthly, when lowest; besids Excises, Customes, Impost, amounting to twice as much more, must certainly be far more grievous & intollerable to the Nation, and so not onely to be remitted, abandoned, excluded, but accounted for, and restored to our exhausted, oppressed Nation, by all those Governours, who pretend themselves saints

of

of the higheſt forme, and men ruling in the fear of God; againſt whom this St. *Edward the Confeſſor*, will riſe up in judgement, if they imitate not his juſt and Saintlike preſident therein. All which conſiderations I recommend, to their own, and their Collecters, Exciſers ſadeſt conſiderations to meditate ſeriouſly upon for the peoples eaſe.

(x) *William of Malmſburies* records of this King *Edward*, that he was **in exactionibus vectigalium parcus, quippe qui & exactores execraretur.** Till we may be able really to record the like of our new Governours, and Princes over us, we ſhall never be either a free, a peaceable, or happy people, nor they worthy of the name of Saints or Confeſſors in any Engliſh Annals, or Kalenders. (m) He addes, *That King* Edward *with the touch of his hand, did miraculouſly cure ſundry perſons of the luxuriant humours and ſwellings about the neck, (commonly called the Kings Evill) which cure in after ages ſome falſly aſcribed, non ex ſanctitate, ſed ex* **regalis proſapiæ hereditate fluxiſſe,** *not to have iſſued from his ſanctitie, but from his hereditary royall bloud.* If his ſanctity in releaſing, and reſtoring the formentioned inſupportable Tributes of *Danegeld*, ſhall now cure the hereditary Kings, and our new Republiques long continued evill, and malady of intolerable Tributes, Contributions, and Excìſes in this Age, we ſhall regiſter it to poſterity for as great a miracle, as his firſt care of the evill Kings only, by his touching of it with his royall ſacred hand.

(x) *Degeſtis Regum* l. 2. p. 13 p. 91.

(m) *See Ailredus Abbas de vita & miraculis Edwardi Confeſſoris col.* 390.

(n) King *Edward* about the year 1047. calling out of *Normandy*, certain *Normans*, *qui olim paucuris beneficiis inopiam Exulis ſuppleverant*, who had there relcived, and ſupplied his want, during his exile, to reward them for their benefits, advanced them to places of extraordinary honour and truſt about him; amongſt others, he promoted *Robert Gemeticenſis* a monk to the Biſhoprick of *London*, & then to the Archbiſhoprick

(n) *Malmſbury de Geſtis Regum Angliæ l.* 2. c. 13. *John Bromton Cronicon vol.* 932. *Ingulphus Hiſtoria.* p. 895.

bishoprick of Canterbury, *William* to be his Chaplain first, and afterwards Bishop of *London*, and another to the Bishoprick of *Dorchester*, which *Jugulphus* thus expresseth. *Rex autem Edwardus natus in Anglia, sed Nutritus in Normania, & diutissime immoratus pene in Gallicum transierat; adducens & attrahens de Normania plurimos, quos variis dignitatibus promotos in immensum exaltabat. Præcipuus inter eos erat*, Robertus Monachus *&c. Capit ergò totâ terrâ sub rege & sub aliis Normannis introductis, Anglicos ritus diminui, & Francorũ mores in multis imitari: Gallicum idioma omnes Magnates in suis curiis tanquam magnum gentilitium loqui; Chartas & Chyrographa sua more Francium confici, & propriam consuetudinem in his, & in aliis multis erubescere.* Thereupon Earle *Godwin* and his Sons being men of high spirits, *& auctores, & tutores regni* Edvardi, were very angry, and discontented, *quod novos homines & advenas sibi preferri viderent*, because they saw these new upstarts and strangers preferred before them; yet they never uttered a high word against the King, whom they had once advanced. Upon this occasion, Anno 1051. there arose great discords between the *English*, and these *Normans*, *quod Angli aspernanter ferant superiorem, Normani nequeant pati parem.* *Henry *Huntingdon* records: That these *Normnans* accused *Godwin*, and *Swaine* and *Harold* his Sonnes to the King, that they went about to betray him; wherupon the King calling them into question for it, they refused to appear without hostages for their safety, upon which the King banished them. But *William* of *Malmsbury*, *Roger de Hoveden*, *Matthew Westminster*, *Florentius Wigornienſis*, *Simeon Dunelmenſis*, *Bromton*, *Hygden*, *Henry de Knigbton*, *Fabram*, *Grafton*, *Holmshed*, *Speed*, and the (o) *General Stream* of our Historians, relating the businesse more fully, make this the originall cause of the difference between them, and of the Exile of *Godwin* and his Sons.

*Histor. l. 6. p. 366.

(o) See Fox Acts and Monuments. vol. 1. p. 212 213. Speed History p. 411. 412. Daniels History p. 22.

Eustace

Euſtace Earle of Boloyn, who had wedded King *Edwards* Siſter ariving at *Dover* in the moneth of *September*, 1051. one of his Knights ſeeking lodging, unjuſtly ſlew one *of the Townſmen*, whereupon the Townſmen ſlew him. The Earle and his followers being enraged thereat, *ſlew divers men and women of the Town, and trode their children under their own, & horſes feet.* The *Burgeſſes* upon this aſſembling togetherto reſiſt them, after a fierce Encounter, put the Earle and his followers to flight, ſlew eighteen or twenty of them in the purſute, and wounded many more; ſo that the Earle eſcaped only with one of his followers to the King, then at *Gloceſter*; where he grievouſly incenſed the King againſt the Engliſhmen, by reaſon of this tumult, which he and his followers occaſioned. Whereupon *Earle Godwin* being much incenſed at the ſlaughter of his men, in the Burrowgh of *Dover*, he and his ſons aſſembled a great Armie out of all the Towns and Countries ſubject to them. The King ſending for *Godwin* to the Court, charged him with his Hoſt, to avenge the wrong done to *Euſtace*, and to puniſh the inſolency of the men of *Dover*, which the King exceedingly aggravated. But *Godwin*, a man of ſharp wit, and wel underſtanding, *that ſentence ought not to be pronounced upon the hearing of the allegations of one part only without hearing the other*, refuſed to march with his Army againſt the *Burgeſſes* of *Dover*, although the King commanded him; both becauſe he envied, *that all Aliens ſhould find ſuch extraordinary favour with the King*, and becauſe *he would ſhew friendſhip to his own Countreymen*. Whereupon he anſwered, *It were reaſonable and juſt, that before any execution done, the the Wardeins of Dover Caſtle, ſhould be ſummoned into that Kings Court, in a fair manner, to anſwer this tumult; and if they could excuſe themſelves, that then they ſhould be diſmiſſed without harms; or if not, that then they ſhould ſatiſfy the King, whoſe peace they had broken, and the Earl whom:*

Propſition 2. 5. 6. 9.

whom they had offended, with money, or the forfeiture of their bodies and goods. **Iniquum videri, ut quos tutari debeas, eos ipse potissimum inauditos adjudices.** And so *Godwin* departed at that time, little regarding the Kings fury, as being but momentany. **Quocirca, Totius regni Proceres justi Glocestriam convenire ut ibi magno conventu res ventilaretur.** Therefore all the Lords of the land were commanded to assemble together at *Gloceſter*, that this matter might be there debated in a great *Parliamentary assembly*. Thither came the most famous *Earle Syward* of *Northumberland*, and *Leofric* Earle of *Mercia*, **Omnibus Anglorum Nobiles**, *and all the English Nobility at that time*; only *Godwin* and his *Sonnes*, who knew themselves suspected, *thought it not safe for them to come thither without an armed Guard*: whereupon they encamped at *Brevertone* with a great host, and there stayed; giving out a report among the people, *that they had therefore gathered an Army together out of Kent, Surry, Yorkshire, Oxfordshire, Glocestershire, Somersetshire, Herfordshire, Essex, Notinghamshire and other parts, that they might curbe the Welshmen, who meditating Tyranny, and Rebellion against the King, had fortified a Town in Herefordshire, where* Swane, *one of the Earl* Godwins *Sonnes then pretended to keep watch and ward against them*. The King hearing that *Godwin* and his Sonnes had raised a great Army of men out of all these Counties upon this false pretext, presently sent Messengers to *Syward*, Earle of *Northumberland*, and *Leofric*, Earle of *Mercia*, to hasten to him, being in great danger, with all *the forces they could raise*. Who repairing to him at the first with small forces, so soon as they knew how the matter went, sending their Officers through their Countries, together with Earle *Ralph* in his Countrey, speedily assembled a great Army, to assist the King, ready to encounter these enemies, if there were a necessity. In the mean time

Propisition 2. 869.

time *Godwin* marching with his Army into *Gloceſter-ſhire*, ſent meſſengers to the King (as *Matthew VVeſtminſter*, and ſome others ſtory) commanding him to deliver up Earle *Euſtace*, with his companions, & the *Normans* & *Bonomans*, who then held the Caſtls of *Dover*, to him, elſe he ſhould denounce war againſt him. To whom the King, being ſufficiently furniſhed with military forces, ſent this anſwer, *That he would not deliver up* Earl Euſtace, *to him; commanding moreover*; **Ut qui exercitum contra ipſum collegerat, & ſine ejus licentia pacem regni perturbaverat**, *veniret ad eum die ſtatuta*, **ſuper hac injuria ſibi reſponſurus, & juri pariturus**; *Godwin* and his Sonnes being accuſed of *A CONSPIRACY* againſt the King, and made odious to the whole *Court* by the *VVelſhmen* and *Normans*; ſo that a rumor was ſpread abroad, that the Kings Army would aſſault them in the ſame place, where they quartered, and were unanimouſly reſolved, and ready to fight with *Godwins* Army, (being much incenſed againſt him,) if the King would have permitted them. *Quo accepto* Godwinus ad *Conjuratos claſſicum cecinit*, **Ut ultro Domino regi non reſiſterent**; *ſed ſi convenſi fuiſſent, quin ſe ulciſcerentur loco non cederent, & profecto facinus miſerabile, & plus quam civile bellum fuiſſet, niſi maturiora conſilia intereſſent*, writes *Malmſbury*; But becauſe the beſt and greateſt men of all *England*, were engaged on the one ſide and other, it ſeemed a great unadviſedneſſe to *Earl Leofric* and others, that they ſhould fight a battle, and *wage war with their own Countrymen*: and thereupon they adviſed, *That hoſtages being given on both ſides, the King and* Godwin *ſhould meet at* London *on a certain day, to plead together*; which Counſel being approved of, and meſſengers running to and fro between them, hoſtages being given and received; and ſome ſmall agreement made between them at the preſent, thereupon the Earle returned into *VVeſt-Sax*, and the *Propoſition 2.*

King increaſing his Army, both out of *Mercia* and *Northumberland*, returned with them to *London*, by agreement between both parties. *Iterumq; præceptum ut* **Londini Concilium coageretur**: and it was again commanded by the King, that *A COUNCEL* or *PARLIAMENT*, as *Treviſa*, *Speed* and others render it, **ſhould be aſſembled at London.** *Swane* the Son of *Godwin* was commanded to mitigate the Kings anger by his flight; *Godwin* and *Harold* were ordered to come to this Councel, with twelve men only in their company; and that they ſhould reſigne up to the King, the ſervices of all the Knights and Souldiers which they had throughout *England*. But *Godwin* and his Sonnes, as they durſt not *wage war againſt the King*: *ſo, ad Curiam ejus venire Juri pariturí negabant*, They would not come to his Court, to put themſelves upon a legal tryall; alleadging, *That they would not goe to* **a Conventicle of factious perſons**, *without pledges and hoſtages; that they would obey their Lord in the ſurrender of all their Knights ſervices, and in all things elſe, without the perill of their honour and ſafety. That if they came thither unarmed, they might fear the loſſe of life; if with a few followers, it would be a reproach to their honour.* But the King being ſo reſolute in his minde, that he would not recede from what he had reſolved by, their intreaties, upon their refuſal to *come unto his Court to juſtify themſelves*, **Rex in ſuo Concilio communi Curiæ ſuæ judicio,** *by the common judgement of his Court*, in this Parliamentary Councel, **Et omnis exercitus unanimi conſenſu,** and by the unanimous conſent of his whole Army (as *Flo-rence* of *Worceſter*, and his followers ſubjoyne) **baniſhed** *Godwin himſelf and his five Sons out of* England: whereupon **prolatum Edictum eſt.** *A Decree & Proclamation* was then publiſhed, *that within five dayes they ſhould depart* out of *England*. *Godwin* perceving that his ſouldiers deſerted him ſome & ſome for fear of the Kings Army and diſpleaſure, thereupon

Propoſition 6.

Propoſition 2.6.

on

on he and his wife *Giva*, and his three ſonnes, *Swane*, *Gurth* and *Toſti*, with his wife *Iudith* daughter to the Earle of *Flanders*, departed preſently out of *England*, by the Iſle of *Thanet*, into *Flanders* to Earle *Baldwin*, with much treaſure; but his other two ſonnes, *Harold* and *Leofric* ſailed by *Briſtol* into *Ireland*. Moreover the King put away his Queen *Editha* for her Father *Godwins* ſake, thruſt her into the Abbie of *Warwel* (or *Redwel*) without worſhip, with one maid only to attend her, committing her to the cuſtody of the *Abbeſs*, his own ſiſter, taking away all her ſubſtance, without leaving her ſo much as one penny, *ne ſcilicet omnibus ſuis parentibus patriam ſuſpirantibus, ſola ſterteret in pluma, Haroldi Earldom*, and County was beſtowed on Algarus who ruled it nobly, and he with good will reſigned it up to *Harold* upon his returne. (q) *Malmſburi. de Geſtis Regum. l. 2. c. 13. p. 82.*

Theſe things being done, *William Duke of Normandy* came to viſit the King with a great multitude of *Normans* and Souldiers, whom King *Edward* honorably received, and magnificently entertained for a ſeaſon, carrying him about to all his royal Caſtles and Cities, and at laſt ſent back into *Normandy*, with many and great preſents beſtowed on him and his followers, *De ſucceſſione autem Regni ſpes adhuc aut mentio nulla facta inter eos fuit* writes, (r) *Ingulphus*. (r) *Hiſtor. p. 898.*

King Edward (**In Parliamento Pleno**, having in **Plain** or full **Parliament**, as *Radulphus Ceſtrenſis Knighton de eventibus Angliæ. l. 1. c. 10. Treviſa* and others relate, thus *baniſhed* and *outlawed* Godwin and his ſons in which in condition (as ſome write) they continued two ful years. Thereupon in the year 1052. *Harold* and *Leofric* by way of reveng, coming out of *Ireland* with ſuch ſhips and forces as they could there raiſe, pillaged the weſtern parts of *England*, infeſting the ſhores with continual robberies, carrying away rich booties, and ſlaying ſuch as reſiſted them. Then marching from *Severn* into the confines of *Somerſetſhire*, (ſ) *Florent. Wigornienſis Sim Dunelmenſis, Polichronicon, Brompton Hoveden, Huntindon, Rad. de Diceto, Malmſbury, Her. de Knighton Weſtminſter, Caxton Fabian, Graſton, Holinſhead, Speed, Daniel, Fox, Eadiner Hiſt. Nov. l. 1. p. 4.*

ſetſhire and *Dorſetſhire*, they plundered many Towns and Villages in thoſe parts: againſt whom a great multitude aſſembled out of theſe two Counties making head, were incountred and routed by *Harold*, many of their chief Officers and others being ſlain. After which they returning to their ſhips with great booties, ſailed round about by the ſhore to *Plimouth*. Upon this, King *Edward* ſpeedily ſent forth forty ſhips well victualed, and furniſhed with choice Souldiers, commanding them to watch for, and reſiſt the coming and landing of Earle *Godwin*, who without their privity coming with a few ſhips undeſcerned out of *Flanders*, practiſed pyracy and pillaged the ſea-coaſts of *Kent* and *Suſſex*, and at laſt came to the Iſle of Weight, where his two ſonnes, *Harold* and *Leofric*, joyning their ſhips and Forces with his, they ſtudiouſly plotted how they might aveng themſelves upon *King Edward* by ſea, *Griffin* King of *VVales* in the mean time (by their inſtigation) depopulating *Herefordſhire* by land, & ſlaying many of the Countrey people, who reſiſted him. On the Kings part there were about ſixty ſhips aſſembled together to oppoſe *Harold*, riding at anchor; the Admirals of which Navy were the Earls, *Odo* and *Ralph*, the Kings kinſmen: neither was the King himſelf ſloathfull in this neceſſity, lying all night on ſhipboard, and diligently obſerving the excurſions of theſe Pyrates, executing that by ſage counſel, which by reaſon of age he could not act with his hand. When both Navies were drawn near together, and ready to grapple with and encounter each other, a thick fogge and cloud ſodainly ariſing, blinded the eyes of theſe furiou perſons, and reſtrained the wretched audacity of theſe mortals, ſo that they could not encounter each other, *Godwin* with his companions being forced by the winds to returne from whence they came. After which *Godwin* and his ſonnes by ſecret meſſengers

gers, drew unto their party an innumerable company of the inhabitants of *Kent*, *Essex*, *Sussex*, and *Surry*, and all the Mariners of *Hastings*, with many Souldiers, and having drawn together a very great Army out of those parts, who all promised with one voice, *To live and dye with Godwin*: forbearing all plunder, and depopulation, after they met together, taking only victuals for their Army when occasion and necessity required, and alluring all they could to their party, they marched with their forces first to *Sandwich*. Which the King hearing of, being then at *London*, speedily sent messengers to all who had not revolted from him, *to come with all speed to his assistance*; who delaying overlong, came not at the time appointed. In the mean while *Godwin* comes up the *Thames* with his Navy and Army toward *London*, and pitched his Tents in *Southwark*, near the City. King *Edward*, who was then at *London*, had assembled a great company of armed men together, and no small Navy, to pursue *Godwin* and his sonnes, both by Sea and Land. But because very few with the *King* or *Godwin* had courage to fight with each other, and the English, whose sonnes, Nephews, Kinsmen and Friends were with *Godwin* and *Harold*, refused to fight against their own parents & kinred of the Kings party, thereupon some wise men on both parts, diligently *endeavored to make a firme peace and reconciliation between the King and Godwin, and commanded the Armies and Navies to forbear fighting*. *Godwin* being aged, and potent both with his favour and tongue to bow the mindes of his auditors, very well purged himself from all the things objected against him. The next morning **Rex habens cum primatibus suis Concilio**, the King taking Counsel with his Nobles, restored *Godwin*, and all his sonnes, (except *Swane*, who went on Pilgrimage barefoot to *Jerusalem*, to expiate the murder of *Beorne*) together with the Queen, his

Proposition 38

daughter to their former honours; *Godwin* giving his Sonne *VVolnoth*, and *Hake* the Son of *Swane*, his hostages to the King, *for his keeping of the peace and future loyaltie to him*; whom the King immediatly sent into *Normandy* to be kept there. A concord and peace being thus made and ratified, the **King and Nobles omni populo bonas Leges & rectam justitiam promiserunt**, *promised good Laws, and right Justice to all the people*; then they banished *Robert* arch-bishop of *Canterbury*, *William* Bishop of *London*, *Ulfe* Bishop of *Dorchester*, *and all the other Normans*, who incensed and gave the King evill counsel against Earle *Godwin*, and the English, and **had invented unjust laws, and pronounced unjust judgements against them**, permitting only some few *Normans* (nominated in our Historians) whom the King loved more than the rest, and who had been faithfull to him, and all the people, to remain in *England*. Not long after, *VVilliam* Bishop of *London* was for his goodnesse recalled and restored to his Bishoprick, but *Stigand* was made Archbishop of Canterbury, in the place of *Robert*, and *Osburne*, and *Hugh* two *Normans* by birth, leaving their Castles here, went to the King of *Scots*, who entertained them, and so the land was freed from these forreign incendiaries. *Normannos omnes ignominiâ notatos* **prolata** *Sententia in Robertum Archiepis. ejusque complices* **quod statum regni conturbarant, animum Regis in provinciales agitantes**: Upon this sentence denounced, *Robert* and others of them presently fled the Realme of their own accord, without expecting any actual violence to banish and expell them.

Proposition 5 2.

From all these memorable Historical passages, as we may observe the great unconstancy, vicissitude and changes of earthly Princes favours, worldly honours, preferments, and popular favour; with the great inconveniencies of admitting or advancing forreigners to any places of trust or power under the King or Court;

so

ſo we may likewiſe conclude that by the Law of that Age.

1. That no Engliſh man ought to be condemned, executed, impriſoned or put to death upon any great mans bare ſuggeſtion, no not by the Kings own ſpeciall command (which if given ought to be diſobeyed in ſuch caſes) but only by, and after a Legall hearing, tryall and conviction of the offence.

2. That the Kings of *England* were then ſworn and obliged, to govern their people by good, juſt, and wholeſome Laws, and Cuſtomes, not by their arbitrary pleaſures, powers, or commands.

3. That the Parliamentary Councels and Nobles in that age, were very carefull to defend and maintain the Liberties, Rights, good Laws and Cuſtoms of the people, and to prevent, (and aboliſh all unjuſt Laws and Encroachments repugnant to them.

4. That Parliamentary Conncels were then frequently ſummoned by the King upon all publique emergent occaſions, and differences, and to make war and peace, either at home, or in forreign parts.

5. That the Parliamentary Councels of that time conſiſted of the Earles, Barons, Nobles and Prælates of the Realme, duly ſummoned to them; without any mention of Knights or Burgeſſes, elected and ſent to them by the people, of which there are no preſidents in this Kings reign. Enough to prove *Modus Tenendi Parliamentum* (ſuppoſed to be made and obſerved in this age) a meere cheating impoſture of later daies, as in truth it is.

6. That all delinquents, of what quality ſoever, juſtly or unjuſtly accuſed, ought to appear and juſtify themſelves before the King and his Nobles in their Parliamentary Councels, without armed Guards, forces, Tergiverſation, or reſiſtance, upon due ſũmons to appear before them, by the Laws of that time.

7. That Kings and great mens coming to Parliamentary,

mentary Councels with Armies, strong armed Guards, and holding them with power, or under Armies, is inconsistent with their Liberty & Priviledges, and are an occasion of civill wars, disturbances, much mischief to the Nation, as then they proved.

8. That English Peers then were and ought to be tried, banished, judged by their Peers, both in Parliamentary Councels and other Courts.

9. That no English Peer or Freeman could then be lawfully, and judically banished the Realme, but in and by sentence and judgement of a Parliamentary Councel; for some contempt or offence demeriting such a punishment.

10. That Peers and great men obstinately refusing to submit themselves to the triall and judgement of Parliamentary Councels, or to appear in them, or the Kings Courts to justify themselves, without hostages first given for their securiy; may justly be sentenced and banished by our Parliaments, for such contempts, and affronts to justice.

11. That the subjects were bound to ayd and assist their Kings, as wel against Traitors, Rebels, Pyrates, as against forreign enemies, under our Saxon Kings.

12. That forreigners are usually the greatest occasioners, and fomenters of civil wars. That such Incendiaries, deserve justly to be banished the Nation: And that civill wars between King and subjects, English and English, and their shedding of one anothers blood in such wars, was then deemed most unnatural, odious, execrable; by all prudent means and councels to be timely and carefully prevented: and not to be begun or undertaken, but by good advice and common consent in great Parliamentary Councels, upon weighty, urgent, inevitable necessities.

13. That the abolishing of ill, and enacting of good Laws, the removing of ill Counsellors and Instruments about Kings, ordering matters of war and

and defence by Land and Sea, and setling of peace, were the antient proper works, busineſſes, imployments of our *Saxon* Parliaments.

14. That the Engliſh Freemen have been always apt, forwards, cordially to joyn with ſuch Nobles and Great men, who are moſt cordial and active to defend their juſt Liberties, Laws, Rights, againſt foreiners, and others who invade them.

Soon after the forementioned agreement between the King and *Godwin* [v] King *Edward* (according to his forementioned promiſes, to make good Laws for all his people) *out of all the former Britiſh and Saxon Laws, by Order of his Wiſemen, compiled an univerſal common Law, for all the people throughout the whole Realm, which were called King* Edwards *Laws, being ſo juſt and equal, and ſo ſecuring the profit and wealth of all eſtates, that the people long after,* (as Mr. *Fox* and others record) *did rebel againſt their Lords and Rulers, to have the ſame Laws again, when ſuſpended, or taken from them, or diſ-uſed: and preſcribed this Oath to* [x] William *the Conquerour himſelf, and every of our Kings ſince*, to be ſolemnly taken at the time of his Coronation, for the further ratification, and better inviolable obſervation of theſe Laws, and perpetuating them to all poſterity. [y] *SIR, will you* grant and keep, and by your Oath confirm to the people of England, *the Laws and Cuſtoms granted to them by antient Kings of* England, *rightfull men, and devout towards God*, namely the Laws and Cuſtoms, and Franchiſes granted to the Clergy, and to the People by the glorious King Edward, to your power? To which the King muſt anſwer, *I will doe it*, before he be anointed or crowned King.

Now becauſe theſe Laws of King *Edward* (made by his Wiſemens Counſel and advice; as this Clauſe, * *Sapientes ſuperunt ſuper hos habere conſilium, et conſtituerunt*, in the Chapter, *De illis qui has Leges deſpexerunt*, implyes) are ſo *famous* and *fundamental*, moſt

[u] *Polychr. l.* 1. *c.* 50. *Fox Acts and Monumnts, vol.* 1. *p.* 244. *Speeds Hiſtory, p.* 440, 441.

[x] *Florentius Wigornienſis, Sim. Dunelm. Hoveden, Dan. Speed. p.* 448.

(y) See *Theſes Magna Charta*, 1556, *p.* 164. 1 *R.* 2. *rot. Parl. num.* 44. *My Soveraign Power of Parliaments, pars* 1. *p.* 52, *to* 79. *Exact. Collect. p.* 290, 712, 713, 714. *Hoveden, p.* 607.

most of our Common old Laws being founded on, or resulting from them, I shall give you this brief account of them, out of our Historians, as most pertinent to my subject matter, and usefull for those of my profession to be informed of (being generally not so well versed in Antiquity, History, and Records, as were to be wished, for the honour and lustre of their honourable publike calling,) pretermiting the grosse Forgery and Imposture of *Modus tenendi Parliamentum*, so much cryed up by * Sir *Edward Cooke* for its *Antiquity* and *Authority*, as made and observed in *Edward* the Confessors reign, when as it is a meer counterfeit Treatise, and *Spurious Antiquity*, scarce antienter than King *Richard* the 2. as I have proved in my *Levellers levelled*; and Mr. *Selden* manifests in his *Titles of honour* pars 2. p. 713, 738, to 745; yea its own mentioning the Bishop of *Carlisle* (which Bishoprick was not erected til the *year 1132, or 1134.) the Mayors of *London*, (which had no * Mayor til the year 1208) and of other Cities, with Knights and Burgesses usual wages, all instituted long after the Conquerours reign; the not mentioning of this *Modus* in any of our Records, Histories, or judicious Antiquaries, and its difference from all the Modes and Forms of Parliaments, and Great Councils, of that or later ages held in *England* or *Ireland*, with the many falshoods and absurdities in it, will sufficiently evidence it to every intelligent Peruser, to be a late *Bastard Treatise*, and no such Antient Record, as Sir *Edward Cooke* most confidently averrs it, upon groundless Reasons, and bold, false averments, void of Truth. Which *Modus*, if really made and observed in his reign, and after ages, no doubt our Historians would have mentioned it, as well as his Laws, of which they give us this following account.

* *Epistle to his 9th. Report. 1. Institutes, p. p. 69, 110. 2 Instit. p. 7, 8. 4 Instit. p. 2. 32. 342.*

* *Mat. Westm. and Mat. Paris An. 1122. Hoveden An. 113: p. 400.*

* *Grafions Catalogue of the Mayors of London.*

[y] *De Event. Angl. l. 1. c. 35.*

(y) *Henry de Knyghton* records; That King *Edward* after his Coronation, Consilio Baronum, et caterorum Regni, *received*, *established*, *and confirmed* the

Propos. 5, 6.

the good Laws, which for 68 years lay as it were asleep, among the sleepers, and buried in Oblivion. These Laws are called, the Laws of St. Edward, *not because he had first invented them, but because they being as it were put under a Bushel, and laid in oblivion from the time of his Grandfather King* Edgar, *he put to his hand, first to find them out, and then to establish them.* (z) *Wil. of Malmesbury* thus writes of these Laws: 'Omnes Leges 'ab antiquis Regibus, & maximè ab antecessore suo *E-* 'thelred, latas sub interminatione Regiæ mulctæ perpe- 'tuis temporibus observari præcepit, in quarum custo- 'dia, etiam nunc tempore bonorum sub nomine Re- 'gis Edwardi Juratur, non quod ille statuerit, sed 'observaverit.' The Author of the antient Manuscript Chronicle of *Litchfield*, and (a) Mr. *Selden*, out of him, together with (b) *Roger Hoveden*, and (c) Bishop *Usher*, inform us concerning these Laws. 'Ex illo die 'magna autoritate veneratæ, et per universum regnum 'corroboratæ & consecratæ sunt præ cæteris regni legi- 'bus Leges Regis Edwardi; quæ quidem prius inven- 'tæ & constitutæ fuerunt tempore Regis *Edgari*, avi sui. 'Veruntatem post mortem ipsius Regis *Edgari*, usque ad 'Coronationem S. Regis *Edw.* quod continet annos 67 'predictæ leges sopitæ sunt, et penitus prætermissæ. 'Sed postquam Rex *Edwardus* in regno fuit sublima- 'tus, Consilio Baronum Angliæ, Legem 67 annis so- 'pitam excitavit, excitatam reparavit, reparatam deco- 'ravit, decoratam confirmavit, & confirmata vocata 'est, Lex sancti Regis Edwardi, non quod prius ipse 'inveniſſet eam, sed cum prætermissa fuisset, & oblivi- 'oni penitus dedita a morte avi sui Regis *Edgari*, qui 'prius Inventor ejus fuisse dicitur, usque ad sua tempora, 'videlicet 67 annis' The Chronicle of *Bromton*, col. 956, 957. gives us this large account of these and our other ancient Laws. *This holy King* Edward the Confessor, Leges communes Anglorum genti tempore suo ordinavit, *ordained common Laws in his time for the English Nation, because the Laws promulged in former*

[z] *De Gestis Reg. l. 1. c. 11. p. 75. SteSpelm. Concil. p. 569.*

[a] *Ad Eadmerum & Notæ, & Spicelegium. p. 171.*

[b] *Annalium pars posterior, p. 608.*

[c] *De Brit. Ecclesiarum Primordiis, p. 720.*

mer times were over-partial: For Dunwallo Molmucius *first of all set forth Laws in* Britain, *whose Laws were called* Molmucine; *sufficiently famous, until the times of King* Edward; *amongst which he ordained*, That the Cities and Temples of the Gods, and the ways leading to them, and the Ploughs of Husbandmen, should enjoy the privilege of Sanctuary. *After which* Marcia *Queen of the* Britons, *Wife of* Guithelin (*from whom the Provinces of the* Mercians *is thought to be denonated*) *publish'd a Law full of discretion and justice, which is called* Mercian *Law: These two Laws the Historian* Gildas *translated out of the* British *into the* Latine *tongue; and so it was afterwards commonly called* Merchenelaga, *that is*, The Law of the Mercians, *by which Law* 8 *Counties were formerly judged, namely* Glocestershire, Worcestershire, Herefordshire, Shropshire, Chesshire, Staffordshire, Warwickshire, and Oxfordshire. *After these there was superadded a Law, written in the* Saxon *or* English *tongue, by* Ina *King of* West-Saxons, *to which* Alfred *King of the* West-Saxons *afterwards superadded the Law, which was stiled* West-Saxenelega, *that is*, the Law of the West-Saxons: *By which Law in antient times, the 9 Southern Counties, divided by the River of* Thames *from the rest of* England, *were judged; namely* Kent, Sussex, Surrey, Berkeshire, Wiltshire, Southampton, Somersetshire, Dorset and Devonshire. *At length the* Danes *dominering in the Land, a third Law sprang up, which was called* Danelega, *that is*, the Law of the Danes; *by which Law heretofore the* 15 *Eastern and Northern Counties were judged, to wit*, Middlesex, Suthfolk, Northfolk, Herthfordshire, Cambridgeshire, Huntingdonshire, Lincolnshire, Nottinghamshire, Derbyshire, Northamptonshire, Leicestershire, Buckinghamshire, Beddefordshire, and Yorkshire, *which County of* York *heretofore contained all* Northumberland, *from the water of* Humber, *to the River of* Twede, *which is the beginning of* Scotland,

land, *and is now divided into six Shires. Now out of the foresaid three Laws*, Merchenelega, West-Saxenelega, *and* Danelega, *this King* Edward set forth one common Law, *which even to this day is called* the Law of Edward. The like is recorded by *Hygden* in his *Polychronicon*, l. 1. c. 50. Mr. *John Fox* in his *Acts and Monuments*, *vol.* 1. *p.* 213, 214. *Samuel Daniel* his Collection of the History of *England*, *p.* 22. *John Speed* his History of Great *Britain*, *p.* 410. *Fabian*, *Hollinshed*, *Caxton*, *Grafton*, and others, almost in the self-same words. These Laws are no where extant in any Manuscripts, or printed Authors, as they were originally compiled and digested into one body by him and his Barons, but as they were presented upon Oath to, and confirmed by King *William* the *Conqueror*, in the 4th. year of his reign, of which (*d*) *Ingulphus* Abbot of *Croyland*, in the close of his History (to which they are (*e*) *annexed in some Manuscripts*) gives us this account, flourishing in that age. 'Attuli eadem vice me-'cum de Londoniis in meum Monasterium, Leges re-'quissimi Regis Edwardi, quas Dominus meus incly-'tus Rex Willielmus autenticas esse, et perpetuas per 'totum Regnum Angliæ inviolabiliter tenendas sub 'pœnis, gravissimis proclamarat, et suis Justicia-'riis commendarat, eodem idiomate quo editæ sunt; 'ne per ignorantiam contingat, nos vel nostros aliquan-'do in nostrum grave periculum, contraire & offende-'re ausu temerario, regiam majestatem, ne in ejus cen-'suras rigidissimas improvidum pedem ferre, contentas 'sæpius in eisdem, hoc modo.

[d] *Historiæ*, *p.* 914.

[e] *Io. Seldeni ad Eadmerum Notæ*, *p.* 171, 172.

These Laws are partly Ecclesiastical, partly Civil, recorded by *Roger de Hoveden* *Annalium pars posterior*, *p.* 611. to 631, by Mr. *Lambard* in his *Archaion*, *Henry de Knyghton de Eventibus Angliæ*, *l.* 2. *c.* 4. *Spelmanni Concilii p.* 613. Mr. *John Selden*, *ad Eadmerum & Notæ*, *& Spicelegium*, *p.* 172. to 195 Mr. *John Fox* his *Acts and Monuments*, *vol.* 1. *p.* 214. wherein those

who please may peruse them.

In these Laws it is observable: 1. That all capital, corporal, pecuniary punishments, fines for criminal offences, and all reliefs, services, and duties to the King, are [f] reduced to a certainty, not left arbitrary to the King, his Justices, or other Officers, for the Subjects greater liberty, ease and security. 2. [g] That they protect, preserve the Possessions, Privileges, Persons of the Church and Clergy from all Invasion, injury, violence, disturbance, and specially enact, *That not only all Clerks and Clergy men, but all other persons shall enjoy the peace of God and the Church, free from all assaults, arrests, and other disturbances whatsoever, both on Lords-days, Solemn Festivals, and other times of publike Church meetings*, eundo, & subsistendo, & redeundo; *both in going to, continuing at, and returning from the Church, and publike duties of Gods worship; or to Synods, and Chapters, to which they are either summoned, or where they have any business requiring their personal presence* (wherewith the Statute of 8 *H.* 6. c. 1. concurs, as to the later clause) Therefore all *Quakers*, *Anabaptists*, and others, who disturb, affront and revile, assault, or abuse our Ministers, or their people, (as many now doe) in going to, or returning from the Church, or whiles they continue in it, as well before or after, as during Divine Service, Sermons, or Sacraments there administred, may and ought by the Common Law of *England*, (confirmed both by Confessor and Conquerour in their Parliamentary Councils) to be duly punished, as *Breakers of the Peace*, by all our Kings, Justices, and Ministers of publike Iustice, being ratified by *Magna Charta*, c. 1. and the [b] *Coronation Oaths* of all our Kings, (which all our Judges, and Justices are bound to observe;) *To keep to God and holy Church, to the Clergy, and to the People* Peace and Concord entirely, *according to their power*, (especially during the publike worship of God in the Church, and in

[f] *Lex* 1, 3, 4, 5, 6, 8, 9, 10, 12, 13, 14, 15, 17, 19, *to* 27, 30, 31, 35, 37. 40, 41, 50, 53 62, 64, 67, 70. *in Mr. Seld n.*

[g] *Lex* 1, 2, 3, 6, 7. *in Hoveden and Spelman.*

[b] *Totles Mag. Chart. 1 R. 2. rot. clauſ. m. 44. rot. Parl. 1 H. 4. n. 17. Exact. Collect. p. 712, 713, 714.*

in going to, tarrying at, and returning from the duties which they owe unto him, both as his Creatures and Servants) *And to grant, keep, and confirm the Laws, Customs, and Franchises granted by the glorious King* Edward. 3. That they [i] prescribe the due payment of *Tithes to God and his Ministers*, as well personal as prædial, under Ecclesiastical and temporal penalties, being granted and consented unto a Rege, et Baronibus et Populo. 4. That the (k) Causes and pleas of the Church ought first to be heard & ended in Courts and Councils before any other, *Justitia enim est, ut Deus ubique præ cæteris honoretur.* 5. That they thus define *Danegild*: 'Danegaldi redditio propter Piratas 'primitus Statuta est. Patriam enim infestantes vastationi ejus, pro posse suo insistebant. Ad eorum 'quidem insolentiam reprimendam, Statutum est 'Danegaldum annuatim reddi, *scilicet*, duodecim denarios de unaquaque Hida totius Patriæ, ad conducendos eos qui Piratarum eruptioni Resistendo obviarent. (To which *Hoveden*, *Knyghton*, *Lambard*, and others subjoyn.) 'De hoc quoque *Danegaldo*, omnis ecclesia libera est & quieta, & omnis terra quæ in 'proprio dominico Ecclesiæ erat, ubicunque jacebat, nihil prorsus in tali redemptione persolvens, quia magis 'in Ecclesiæ confidebant orationibus, quam in armorum defensionibus, usque tempora *Willielmi* junioris, 'qui *Ruffus* vocabatur, donec eodem a Baronibus Angliæ auxilium requirente ad *Normanniam* requirendam '& retinendam, de *Roberto* suo fratre cognomine '*Curtehose* Ierusalem proficiscente, Concessum est et, 'non Lege sanctum, neque confirmatum, sed hac necessitatis causa, ex unaquaque hida sibi dari quatuor 'solidos Ecclesia non excepta. Dum vero collectio 'census fieret, proclamabat Ecclesia, suam reposcens libertatem, sed nil profecit.' By which it is apparent, 1. That this grievous Tax of *Danegeld*, was first granted and appointed by a publike Law in a Parliamentary Coun-

[i] *Lex* 8,9. *in Hoveden*, *Lambard*, *and Knyghton.*

[k] *Lex* 3. *in Hoveden*, *Lambard*, *Knyghton.*

[l] *Lex* 11. *in Hoved. Lamb. Knyghton. Propositi.* 1,9.

Council, to hire men to resist the eruption of the Pyrates and Enemies. That it amounted but to 12 d. a year, upon every Ploughland. That the Church and Demesne Lands of the Church, where ever they lay, were exempted from it, till *William Rufus* his time, who first exacted it from the Clergy upon a pretended necessity, and raised it, from 12 d. to 4 s. a Ploughland, by grant of the Barons, without any Law to enact or confirm it, for fear of drawing it into consequence.

6ly, That these Laws thus describe the Duty and Office of a King; (m) *The King, because he is the Vicar of the highest King, is constituted for this end, that he may rule the earthly kingdom and the Lords people, and above all things, that he may reverence his holy Church, and defend it from injuries, pluck away evil doers from it, and utterly to destroy and disperse them; Which unless he shall doe, the name of a King agreeth not unto him, the Prophet* (Pope) John *witnessing*, Nomen Regis perdit, qui quod Regis est non faciat; *he loseth the name of a King, who dischargeth not the duty of a King.* Pepin *and* Charls *his Son, being not yet Kings, but Princes under the French King, hearing this definitive Sentence, as well truly as prudently pronounced concerning the name of a King, by* William *the bastard King of* England, *foolishly writ to* Pope John, *demanding this question of him*; Whether the Kings of *France* ought so to continue, being content only with the name of a King? Who answered; *That it is convenient to call them Kings, who do watch over, defend, and govern the Church of God and his people,* imitating King *David the Psalmograph saying*, He shall not dwell in my House which worketh pride, &c. (After which it followeth in (n) *Mr. Fox*, and some others, but not in *Hoveden*, and *Knyghton*,) *Moreover, the King by his right and by his Office, ought to defend and conserve fully and wholly in all amplenesse, without diminution, all the Lands, Honours, Dignities, Rights and Liberties of the Crown of his Kingdom. And further,*

(m) *Cap.* 15, & 17. *in Hoveden, Knyghton, Lambard.*

(n) *Acts and Monuments, vol.* 1. *p.* 214.

Propositi. 10.

further, to reduce into their priſtine ſtate, all ſuch things as have been diſperſed, waſted and loſt, which appertain to his kingdom. Alſo the whole and univerſal Land, with all Iſlands about the ſame in Norwey *and* Denmark, *be appertaining to the Crown of his kingdom, and be of the appurtenances and dignity of the King, making one Monarchy, and one Kingdom; which ſometimes was called the Kingdom of* Britain, *and now the Kingdom of* England: *ſuch bounds and limits as is aboveſaid, be appointed and limited to the name of this kingdom. A King, above all things, ought to fear God, to love and obſerve his commandements, and cauſe them to be obſerved through his whole kingdom. He ought alſo to keep, cheriſh, maintain and govern the holy Church within his kingdom with all integrity and Liberty, according to the conſtitution of his anceſtors and predeceſſors, and to defend the ſame againſt all Enemies, ſo that God above all things be honoured, and ever before his eyes.* He ought alſo to ſet up Good Laws and Cuſtoms, *ſuch as be* wholeſom and approved: *Such as be otherwiſe*, to repeal them, and thruſt them out of his kingdom. *Propoſit. 5, 6.*

Item, he ought to doe Judgement and Juſtice in his kingdom, by the counſel of his Realm. *All theſe things ought a King in his own perſon to do, taking his Oath upon the Evangeliſt, ſwearing in the preſence of the whole State of the Realm (as well of the Temporalty as of the Spiritualty) before he be crowned of the Archbiſhops and Biſhops. Three Servants the King ought to have under his feet as Vaſſals, Fleſhly Luſt, Avarice, and Greedy deſire; whom if he keep under as his Servants and Slaves, he ſhall reign well and honourably in his Kingdom. All things are to be done with good adviſement and premeditation: and that properly belongeth to a King. For haſty raſhneſs bringeth all things to ruine, according to the ſaying of the Goſpel:* Every kingdom divided in it ſelf ſhall be deſolate, &c. (A clear evidence that our Saxon Kings had no arbitrary nor tyrannical power to

condemn, baniſh, impriſon, oppreſſe or Tax their Subjects in any kinde, againſt their Laws, Liberties, Properties.) And thus much touching King *Edwards* Laws, *Qui ob vitæ integritatem*, Regnandi Juſtitiam *& clementiam*, Legumque *ſive à ſe latarum, ſive ex veteribus ſumptarum, &* Equitatem, *inter Sanctos relatus eſt*, as (o) *Matthew Parker* records of him.

(o) *Antiqu. Eccleſ. Brit, p.88.*

In the year of Chriſt, 1053. as many, or 1054. as others compute it, that old perjured Traytor *Earl Godwin*, came to a moſt ſoddein, ſhamefull exemplary death by divine juſtice, which the (p) *marginal Hiſtorians* thus relate; and *Abbot Ailred* thus prefaceth. *Inſerendum arbitror quomodo* Godwinum proditionum ſuarum donatum ſtipendiis, *divini judicii ultrix ira conſumpſerit, deteſtandique facinoris quod* in Regem fratremq; ejus cõmiſerat, *populo ſpectante, ipſam quam meruerat pœnam exolverat*. This *Godwin* being the Kings Father-in-law, abuſing his ſimplicity, *multa in regno contra jus et fas pro poteſtate faciebat*, did many things in the Realm, againſt Law and right, by his power; and often attempted to incline the Kings minde to his *Injuſtice*. At laſt his ſubtilty proceeded ſo farr, that by fraud, deceit and circumvention, *he baniſhed out of the land almoſt all the Kings kinred and friends, whom he had either brought with him, or called out of* Normandy, *as well Biſhops as Clerks, and Laymen of other dignities: believing that all things would ſucceed according to his deſires, if the King deprived of all his friends, ſhould make uſe only of his Counſels*. But *Edward* diſſembling all things, in regard of time, place, and out of religion, addicted himſelf wholly to divine duties, ſometimes predicting, *That divine Juſtice would at ſome time or other revenge ſo great malice of the Earl*, and telling *Godwin* himſelf ſo much. Whereupon on a certain day when the King was celebrating the Feaſt of Eaſter at *Wincheſter* (as moſt,) or at *Windſor*, (as ſome,) or *Hodiam* (as others) relate; which feaſt was famous among the people,

Anno 1053.

(p) *Ailredus Abbas, de Vita & Mirac. Edwardi Confeſſoris, col.* 394, 395. *Malmsb. de Geſtis Reg. Angl. l.*2. *c.*13. *p.*81. *Hen. Huntindon, Hiſt. l.*6. *p.*366. *Ingulphi Hiſt. p.*898. *Mat. Weſtm. An.* 1054 *p.* 424. *Radulphus de Diceto Abbrev. Chron. col.*476. *Chronicon Io. Bromton, col.* 944. *Hen. de Knyghton, de Eventib. Angl. l.*1. *c.* 11. *Hygden. Polychron. l.*6. *c.*25. *Eadmerus Hiſt. Novorum, l.* 1. *p.* 4. *Fox Acts & Monuments, vol.*1. *p.*213.

Propoſit. 8.

ple; the King ſitting at his royal Table at dinner, the Kings Cup-bearer (*Harold, Godwins* own Son as ſome record) bringing the Kings cup filled with Wine towards the Table, ſtriking one of his feet very hard againſt a ſtumbling block on the pavement, fell almoſt to the ground, but his other foot going ſtraight on recovered him again, and ſet him upright, ſo that he had no harm, nor ſhed any of the wine. Upon which many diſcourſing touching this event, and rejoycing *that one foot helped the other*, Earl *Godwin* (who cuſtomarily ſate next to the King at Table, being his Father-in-law) laughing thereat, ſaid by way of merriment; *Here a brother helped a brother*, as ſome; or, *So is a Brother helping to a Brother, and one aſſiſting another in neceſſity*, as others report his words: To whom the King upon this occaſion ironically anſwering, ſaid; *Thus my Brother* (Alfred) *might have aſſiſted me, had it not been for* Godwins *Treachery, who would not permit him.* Which Speech of the Kings *Godwin* taking over-grievouſly, was ſore afraid, and with a very pale and ſad countenance, replied; *I know O King, I know, it hath been often reported to thee, that I have ſought to betray thee; and that thou O King doſt as yet accuſe and ſuſpect me concerning the death of thy Brother* Alfred; *neither yet doeſt thou think that thoſe are to be diſcredited, who call me either* his *or* thy Traytor, *or betrayer. But let thy God who is true and juſt, and knoweth all ſecrets, judge between us; and let him never ſuffer this piece of bread I now hold in my hand, to paſs down my throat without choaking me, if I be guilty of any Treaſon at all againſt thee, or had ever ſo much as a thought to betray thee; Or, if I be guilty of thy Brothers death; or if ever thy brother by me, or my counſel, was nearer to death, or remoter from life. And ſo may I ſafely ſwallow down this morſel of bread in my hand, as I am guiltleſſe of theſe facts.* When he had thus ſpoken, the King bleſſed the piece of bread; whereupon *Godwin* putting it into his

mouth, swallowed it down to the midst of his throat, where it stuck so fast, that he could neither get it down nor cast it up by any means, till through the cooperation of divine vengeance, he was so choaked with it, that his breath was quite stopped, his eyes turned upside down, his arms grew stiff, being conscious to himself of what he thus abjured, and so he fell down dead under the Table: *Deus autem justus et verax audivit vocem* Proditoris, *et mox eodem pane strangulatus, mortem prægustavit æternam*; writes (*q*) *Radulphus de Diceto*. The King seeing him pale and dead, and that divine judgement and vengeance had thus passed upon him, said to those who stood by, *Dragg out of this dog, this* Traytor, *and bury him in the high way, for he is unworthy of Christian burial.* Whereupon his Sonnes there present beholding this Spectacle, drew him from under the Table into a Bedchamber, *ubi debitum proditoris sortitus est finem*; and immediately after they buried him privily in the old Monastery at *Winchester*, without honour or solemnity. Abbot (*r*) *Ingulphus* thus briefly relates the story of this his death. *Anno Domini* 1053. *cum* Godwinus *Comes in mensa Regis de nece sui fratris impeteretur, ille* post multa Sacramenta *tandem per buccellam deglutiendam* abjurabit, *& buccella gustata continuo suffocatus interiit.*

(*q*) *Abbrev. Chron. col.*476.

(*r*) *Historia, p.* 889.

As this judgement of God upon Earl *Godwin* for murdering Prince *Alfred* right heir to the Crown, and the *Normans* who accompanied him, (17 years after the fact) was most exemplary: so Gods justice upon his posterity is remarkable, which (to omit their forementioned exiles troubles) are thus epitomized by (*s*) *Will. Malmsb. Godwin* in his younger years had the Sister of *Cnute* for his wife, on whom he begat a Son; who having passed the first years of his childhood, whiles he was riding on a horse given to him by his Grandfather, in a proud childish bravado giving him the spurr and rains, the horse carried him into the swift stream,

(*s*) *De Gestis Regum, l.*2. *c.*13 *p.* 82, 83. *See Speeds History, p.*418.

ſtream of the River of *Thames*, where he was drowned. His Mother alſo was ſlain with the ſtroke of a thunderbolt, receiving the puniſhment of her cruelty; who was reported to buy whole droves of ſlaves, eſpecially beautifull maides in *England*, and to ſend them into *Denmark*, that ſhe might heap up riches by their deformed ſale. After her death he married another wife, on whom he begot *Harold*, *Swane*, *Wulnoth*, *Toſti*, *Girth*, and *Leofwin*. *Harold*, after *Edward*, was King for ſome Moneths, and being conquered by *William* at *Haſtings*, loſt both his life and kingdom, with his two younger Brothers, (there ſlain in battel:) *Wulnoth* ſent into *Normandy* by King *Edward*, becauſe his father had given him for an hoſtage, was there detained a Priſoner without any releaſe, during all King *Edwards* life, and being ſent back into *England* in *Williams* reign, continued in bonds at *Sarisbury* till his old age. *Swane* of a perverſe wit, treacherous againſt his King, revolted oftentimes both from his Father and his Brother *Harold*, and becomming a Pyrate, polluted the vertues of his anceſtors with his maritime Robberies and murder. At laſt going barefoot to *Jeruſalem* in pilgrimage, (out of conſcience, to expiate the wilfull murder of his Coſen *Brenus*, and as ſome ſay his Brother) in his return thence, he was circumvented and ſlain by the *Saracens*. *Toſti* being advanced by King *Edward* to the Earldom of *Northumberland* after the death of Earl *Syward*, ruled the County near two years, which being expired, he ſtirred up the *Northumbrians* to a Rebellion with the aſperity of his manners: for finding him ſolitary, they chaſed him out of the Country, not thinking fit to ſlay him, by reaſon of his Dukedom; but they beheaded all his men both Engliſh and Danes, and ſpoiled him of all his horſes, arms and houſhold-ſtuff; whereupon being deprived of his Earldom, he went with his wife and children into *Flanders*, and at laſt invading *Northumberland*, and joyning with the *Danes* againſt his own bro-

ther King *Harold*, was there slain by him in battel, (with all his forces;) His daughter *Queen Egitha*, (besides her forementioned repudiation by King *Edward*,) and the imprisonment and disgraces put upon her by him for her Fathers sake, was never carnally known by him as his wife, out of a detestation to her Father *Godwin, because he would not ingender heirs to succeed him in the royal Throne*, out of the Race and seed of such a Traytor, as many *Historians* assert: Even so let all other such like perfidious Traytors & their Posterities perish, who imitate him, and them in their Treasons, Perjuries, Rebellions, and will not be warned nor reclaimed by his, or their sad examples.

Anno 1053. (o) *Mat. westminster, vigorn. Sim. Dunelmen. Hoveden, Bromton, Anno* 1053. *Fabian, Holinshed, and others.*

The same year Earl *Godwin* thus perished, (o) *Rheese* brother of *Griffin* King of *Southwales*, was slain by King *Edwards* command, and his head brought to *Gloceſter* to the King on the Vigil of Epiphany, for his manifold Treasons, rebellions, and frequent depredations upon his English Subjects.

Anno 1054. (p) *Marianus Scotus, vigorn. Mat. westminst. Sim. Dunelm. Huntindon, Hoveden, Knyghton, Eromton, Radulphus de Dicto, col.* 478 *VValsingham, Hist. Angl. p.* 17. 51.

King *Edward* Anno 1054. commanded (p) *Syward* the valiant Duke of *Northumberland*, to invade *Scotland* with an Army of horse and a strong Navy, to remove *Mackbeath* K. of *Scots* (to whom he had formerly given the Realm of *Scotland* to hold it of him) and make *Malcolm* (the King of *Cumberlands* Son) King in his place; Who thereupon entring *Scotland* with a puissant Army, fought a set battle with *Mackbeath*, slew many thousands of the *Scots*, and all the *Normans* who went to him out of *England*, chased him out of *Scotland* (then totally wasted and subdued by *Syward*) and deprived him both of his Life and Realm. Which being effected, King *Edward* gave the Realm of *Scotland* to *Malcolm*, to be held from and under himself. Not long after Duke *Syward* being likely to die of a flux, when he saw death approaching, said; *What a shame is it, that I who could not die in so many battels and warrs, should be reserved to die with disgrace, like a Cow? Wherefore put upon me my impenetrable coat of male, gird me with my sword, set my helmet upon my head, put my buck-*

hand,

ler in my left hand, and my gilt battel-ax in my right hand, that being the ſtrongeſt of all Souldiers, I may die like a Souldier. Whereupon being thus armed as he commanded, he ſaid; *Thus it becomes a Souldier to die, and not lying down in his bed like an Ox*; and ſo he moſt honourably gave up the Ghoſt. But becauſe *Walteof* his Son was then but an infant, his Earldom was given by the King to *Toſti*, ſon of Earl *Godwin*, whoſe Earldom after *Godwins* ſudden death, was beſtowed on *Harold*, and *Harolds* Earldom given to *Algarus* Earl of *Cheſter*: Earldoms in that age being only for life, not hereditary.

In the year 1055. (*q*) King *Edward*, Habito Londoniæ Concilio, holding a Parliamentary Councill at London, baniſhed *Algarus*, Son of Earl *Leofric*, quia de Proditione Regis in Concilio convictus fuerat, becauſe *he had been convicted in the Council of Treaſon againſt the King*, as *Henry Huntindon*, *Bromtons Chronicle*, and *Hygden* record: Yet *Florentius Wigornienſis*, *Simeon Dunelmenſis*, *Hoveden*, *Henry de Knyghton*, and others write, *He* was baniſhed ſine culpa, *without any crime*. Whereupon paſſing over into *Ireland*, he ſoon after repaired with 18. piratical Ships to *Griffin* King of *Wales*, requeſting him to give him aid againſt King *Edward*. Who thereupon forthwith aſſembling a very great Army out of all his Realm, commanded *Algarus*, to meet him and his Army with all his forces at a certain place; where uniting their forces together, they entred into *Herefordſhire* to ſpoil and depopulate it. Againſt whom timorous *Earl Ralph*, King *Edwards* Siſters Son, raiſing an Army, and meeting them two miles from the City of *Hereford*, commanded the Engliſh to fight on horſeback contrary to their cuſtom: But when they were about to joyn battel, the Earl with his *French* and *Normans*, fled away firſt of all; which the Engliſh perceiving, followed their Captain in flying; whom the Enemies purſuing, ſlew four or five hundred of them, and wounded many more; and having

A. 1055.

(*q*) *Huntindon, Hiſt. l. 6 p. 366. Marianus Scotus, Mat. weſtminſter, VVigornienſis, Sim. Dunelm. and Bromton, Ann.* 1055. *Hen. de Knyghton, de Event. Angl. l. 1. c. 11. Polychron. l. 6. c. 26. VVill. Malmsb. De Geſtis Reg. l. 2. c. 13. Ingulphi Hiſt. p. 898, Holinſhed, Speed, and others.*

Propoſit. 2, 4, 5, 6, 9.

ving gained the Victory, took the City of *Hereford*, slew some of the Citizens, carried away many of them captives, annd having burnt and pillaged the City, returned enriched with great booties. The King being infotmed of it, commanded an Army to be presently assembled out of all England, which meeting together at *Glouceſter*, he made valiant *Earl Harold* their General; who devoutly obeying his commands, diligently pursued *Griffin* and *Algarus*, and boldly entring into the coasts of *Wales*, encamped at *Straddle*. But they knowing him to be a valiant man, not daring to fight with him, fled into *South-wales*. Upon which, *Harold* leaving the greatest part of his Army there, commanded them manfully to resist the Enemies if there were cause, and returning with the rest of the multitude to *Hereford*, he environed it with a broad and deep trench, and fortified it with gates and barrs. At last Messengers passing between them and *Harold*, they made a firm Peace betweeu them. Whereupon Earl *Algarus* his Navy returning to *Cheſter*, there exacted the wages he had promised them; but he repairing to the King, received his Earldom from him again. This same year (r) *Herman* Bishop of *Salisbury* requested of the King, and almost obtained leave to remove his See from *Ramesberg* to the Monastery of *Malmsbury*: sed Rege jnxta Consilium Procerum id nolente, he thereupon resigned his Bishoprick, went beyond the Seas, and took upon him the habit of a Monk; but repenting of his rashness, he returned into *England*, three years after, and held the Bishopricks of *Salisbury* and *Sherborne* united together, till the 9th year of King *William* the *Conqueror*.

Propoſit. 3.

(r) *Malmsbury de Gestis Reg. l.* 2. *c.* 13. See *Godwin in the life of Bishop Herman.*

Anno 1057.

In the year 1057. (ſ) *Prince Edward*, son of *Edmond Ironside*, came out of *Hungary* (where he had long lived an Exile) into *England*, being sent for

(ſ) *Wigornienſis*, Hoveden, *Huntindon*, *Sim. Dunelm.* *Mat. westminster*, Bromton, Hygden, Fabian, Holinshed, Fox *Acts & Monuments*, Vol. 1. p. 213, *Cambdens Britannia*, p. 568.

thence

thence by his Unkle King *Edward*, who had decreed to make him heir to the Crown after himself; but he died at *London* soon after his return, leaving onely *Edgar Athelin* his son, very young, and two daughters *Margaret*, and *Christiana*, under the Kings custody and tuition. This same year, *Earl Leofric*, at the request of his devout Noble Countess *Godina*, freed the City of Coventry from a most grievous dishonest servitude, and heavy Tribute, wherewith he had formerly oppressed the Citizens, being very much offended with them; which (though frequently importuned by her) he would remit upon no other condition but this; *That his Lady* Godina *should ride naked through the street of the City, from the one end of the market to the other, when the people were there assembled*; Which she, to obtain their Liberties from this Servitude and Tribute, performed, covering her self so with her long fair hair, that she was seen and discerned by no body. Wherenpon the Earl her husband by his Charter, *exempted the Citizens of* Coventry *for ever from many payments, which he formerly imposed and exacted from them*; the wisdom of which Earl much benefited the King and people whiles he lived. *Propoſit.* 1.

(t) *Algarus* his son succeeding him in the Earldom of *Mercia* in the year 1058. *was banished the second time by King* Edward; but by the assistance of *Griffin* King of *Wales*, and help of the *Norwey* fleet, which beyond expectation came to assist him, he suddenly recovered his Earldom again by force, of which he conceived himself unjustly deprived against Law. *Griffin* King of *Wales* having (contrary to his former league and agreement) invaded, infested *England*, slain the Bishop of *Hereford*, burnt the City, harrowed the Country, and twice assisted Earl *Algarus* against King *Edward*; thereupon Anno 1063. (u) Duke *Harold* by *Anno* 1058. (t) *Wigornienſis, Hoveden, Sim. Dunelm. Anno* 1058. *Ingul. Historia p.* 898. *Speed, and others.* *Propoſit.* 2. *Anno* 1063. [u] *Mat. Weſtm. Hoveden, Wigorn. Sim. Dunelm. Bromton, An.* 1063, 1064. *Malmsbur. de Gest. Reg. l.* 2. *c.* 13. *Hen. de Knyghton, de Event. Angl. l.* 1. *c.* 14. *Ingulphi Hist. p.* 899. *Holinshed, Fabian, Grafton, Speed.*

King *Edwards* command marched hostilely into *Wales*, with his forces to infest *Griffin*: who having notice of his comming, took Ship, and hardly escaped his hands. Hereupon *Harold* raised a greater Army, and likewise provided Ships and furniture; after this his brother *Tosti* and he, joyning their forces together, by the Kings command, began to depopulate *Wales*, and invaded it both by Sea and Land: whereupon the *Welshmen* compelled by necessity, gave them Hostages, and promised, *That they would thenceforth pay a Tribute to K.* Edward, *as their Soveraign, and banish their King* Griffin: whom they expelled accordingly that year: and An. 1064. they *cut off their King* Griffins *head*, and sent it unto *Harold*, who presently transmitted it to K. *Edward*: whereupon the King made *Griffins* Brothers *Blethagent* and *Redwallo*, Kings over the Welshmen, to whom he gave that land, who sware Fealty to King *Edward* and *Harold*; *et ad imperium illorum mari terraque se fore paratos, ac omnia quæ prius de terra illa Regibus anterioribus fuerant pensa obedienter se pensures responderunt*, as *Wigornienſis*, *Hoveden*, *Simeon Dunelmenſis*, and others record their Oath.

Propoſit. 4, 8.

Anno 1065.

The next year (*x*) *Tosti* Earl of *Northumberland*, moved with envy against his Brother *Harold*, in the Kings own presence at *Winsore*, took *Harold* by the hair as he was drinking wine to the King, and violently struck the Cup out of his hand, using him most dishonourably, all the Kings Houshold admiring at it. Upon which *Harold* provoked to revenge, taking *Tosti* between his arms, and lifting him up on high, threw and dashed him violently against the pavement. At which sight the Souldiers round about ran in on all sides, and parting the began fray perforce between these Brothers and stout Warriers, severed them one from the other. But the King upon this predicted, *that the destruction of these two Brothers was now near at hand*.

[x] *Ailredus Abbas, de Vita & Mirac. Edwardi Confeſſoris, col.* 394. *Malmsbur. de Geſt. Reg. l.* 2. *c.* 13. *Mat. weſt. Huntindon, Hoveden, Wigornienſis, Sim. Dunelm. Rad. de Diceto, Brompton, Polychron. l.* 6. *c.* 27, 28. *Fox Acts and Monuments, Vol.* 1. *p.* 213. *Speed Hiſtory, p.* 418. *Daniel, p.* 24. *Fabian, Caxton, Holinſhed, Graſton.*

hand, and that *their deadly feud was not long to be deferred*. For all the ſons of the Traytor Earl *Godwin* were ſo ungracious, covetous, oppreſſive, and ſo extremely unjuſt, *that if they had ſeen any fair Manner or Manſion* Propoſit. 2, 4. *place, they would procure the owner thereof to be ſlain in the night, withall his poſterity and kinred, that ſo they might get poſſeſſion thereof for themſelves*. Who notwithſtanding which their ſoft and honied ſpeeches, (although they were but ſwords) did ſo circumvent the over-credulous ſimplicity of King *Edward*, that after many enormous wickedneſſes committed by them, he made them *Regni Juſticiarios*, *Regni Rectores & Diſpoſitores*; both Juſtices, Rulers and Diſpoſers of the kingdom; and likewiſe Generals and Admirals of his forces both by Land and Sea. The many acts of Injuſtice committed by the ſway of power and paſſion by Earl *Godwin* and his ſons proportionate greatneſs and the Kings weakneſs, did much blacken that bright time of Peace, and made a good man (not by acting, but induring ill) held to be a bad King. *Toſti* after this conteſt and quarrel with his brother *Harold*, departing in a rage from the Kings Court, and comming to the City of *Hereford*, where his Brother *Harold* had provided a great intertainment for the King, ſlew and cut all his Servants in pieces, and put either a legg, arm, or ſome other member of their bodies thus mangled, into every veſſel of wine, meade, bear, and other ſorts of liquors he there found, wherin they lay ſteeping, ſtopping up the Veſſels again: Which done, he ſent word to the King, *that when he came to his Farm at* Hereford, *he ſhould find his fleſh well powdered, and that he would provide him ſweetmeats*. The King being informed of this his barbarous villany and ſcoff, *commanded that he ſhould be baniſhed for this deteſtable wickedneſs, which he abhorred*. Soon after *Toſti* departing into *Northumberland*, about the 5. of October, divers Gentlemen and others of that

Country aſſembling together, came with about 200. armed men to *York*, where *Toſti* then reſided, both to revenge the execrable murder of ſome Noble *Northumberlanders*, ſervants to *Goſpatric*, whom Queen *Egitha*, in the cauſe of her brother *Toſti*, had commanded treacherouſly to be ſlain on the 4th day of the precedent Chriſtmaſs, and of *Gamel* the ſon of *Orue*, and *Ulfe* ſon of *Delfin*, whom *Toſti* the year before had commanded to be treacherouſly murdered in his chamber at *York*, under pretext of making a Peace with them; Propoſit. 1, 2. necnon pro immanitate Tributi quod de tota Northimbria injuſte acceperat; as alſo for the exceſſiveneſs of the Tribute which he had unjuſtly received out of all *Northumberland*, without their common conſent and grant. Theſe chaſing the Earl himſelf out of the Country (*pro contuitu Ducatus occidendum non rati*) ſlew and cut off the heads of all his Servants, and Courtiers, as well Engliſh as Danes, being above 200. on the North part of the river of *Humber*; then breaking up his Treaſury, they took away all his Treaſures, Horſes, Armes, houſhold-ſtuff, and all things that were his. The rumor whereof being brought to the King, and the Country in an uproar, almoſt all the *Northumberlanders* met together, and elected, conſtituted *Morchar*, Earl *Algarus*, ſon for their Earl in the place of *Toſti*; who marched with them into *Lincolnſhire*, *Nottinghamſhire*, and *Derbyſhire*, waſted and pillaged thoſe Counties, ſlew many of the Inhabitants, and carryed many thouſands of them away captive, leaving thoſe Counties much impoveriſhed many years after. Hereupon *Harold* was ſent againſt them to revenge thoſe injuries, to prevent further miſchiefs, and to mediate a reconciliation between them and *Toſti*. Upon this the *Northumberlanders* met *Harold*, firſt at *Northampton*, and afterwards at *Oxford*, and although they were more in number than he, yet being deſirous of quietneſs and peace, they excuſed the fact unto him, ſaying: *Se homines*

homines liberè natos, liberè educatos, nullius Ducis ferociam pati posse: A majoribus didicisse; aut Libertatem, aut Mortem, *&c.* *That they being men freely born, freely educated, could not suffer the cruelty of any Duke. That they had learned of their ancestors, either to enjoy Liberty, or death. Therefore if the King would have them his Subjects, he must set another Earl over them; even* Morchar, *who had had experience how sweetly they knew to obey, if they were sweetly handled.* But all of them unanimously refused any reconciliation at all with *Tosti*, whom they Outlawed, *together with all those who had incited him* to make an unjust Law, and impose an illegal Tribute upon them. *Harold* hearing these things, and minding more the Peace of the Country, than his brothers profit, recalled his Army; and the King having heard their answer, confirmed *Morchar* for their Duke. *Tosti* hateful to all men, by the assistance of Earl *Edwin*, was expelled out of *England* by the *Northumberlanders*, and driven with his wife and children into *Flanders*, whence returning about two years after, and joyning with the *Danes*, he entred with the *Danes* into *Northumberland*, miserably harrowed the whole Country, slaughtered the inhabitants, and at last was there slain with most of his Souldiers by his own brother King *Harold*, Anno 1066. *Propoſit.* 1, 2, 7.

King Edward, (as Abbot [r] *Ingulphus* living in that age, records,) Anno 1065. being burdened with old age, perceiving Prince Edgar *Atheling* (his Cosen *Edwards* son, lately dead) *to be unfit for the royal throne, tam corde, quam corpore*, as well in respect of minde as body, and that Earl *Godwins* many and wicked progeny did daily increase upon the earth, set his mind upon his Cosen *William Duke of Normandy, et enm sibi succedere in Regnum Angliæ voce stabili sancivit*; and decreed, by a stable vote, that he should succeed him in the Realm of *England*: For *Duke William* was then [r] *Historia*, p. 899, 900, 911.

superiour in every battel, and a triumpher against the King of *France*; and his fame was publickly blazed abroad amongst all the Earls of *Normandy* who were next him, being *invincible in the exercise of Arms*, Judex justissimus in causarum judicio, *a most just Judge in the judging of causes, and most religious and most devout in the service of God.* Hereupon King *Edward* sent *Robert Archbishop of Canterbury* to him, as his Legate *a Latere*, or special Embassador, *illumque designatum sui regni Successorem tam debito cognationis, quam merito virtutis suæ Archipræsulis relatu insinuavit*; and intimated unto him by the relation of his Archbishop, that he had designed him to be the Successor of his Realm, as well by the debt of kinred, as by the merit of Virtue. Moreover *Harold*, the Major of the Kings Court, comming into *Normandy*, not only *swore*, *that he would conserve the Kingdom of* England *for Duke* William *after the Kings death*; but likewise promised upon Oath, *that he would take the daughter of* Duke William *for his wife*; and upon these promises returned home magnificently rewarded: After which he subjoins, *Edwardi piissimi Regis, cujus* cognatione et consanguinitate *inclytus Rex noster* Willelmus *fundat conscientiam suam regnum* Angliæ *invadendi, cæteris Regibus de Danorum sanguine, quasi nullius authoritatis ad allegandum, interim intermissis.*

[f] De Gestis Regum, l. 2, c. 13 p. 93.

(f) *William of Malmsbury* (who flourished in or near that very age) thus seconds him. After the death of *Edward*, his son *Edgar* was, *Neque promptus manu, neque probus ingenio. Rex itaque defuncto cognato, quia spes prioris erat soluta suffragii,* Willielmo comiti Normanniæ successionem Angliæ dedit. *Erat ille hoc munere dignus, præstans animi juvenis, & qui in suprema fastigium alacri labore excreverat. Præterea* proxime consanguineus, *filius* Roberti, *filius* Richardi *secundi, quem fratrem fuisse* Emmæ *matris* Edwardi, *non semel est quod diximus, Ferunt quidam ipsum* Haroldum a Rege

ge *in hoc* Normanniam *miſſum : alii ſecretioris conſilii conſcii invitum venti violentia illuc actum, quaſe tueretur inveniſſe commentum ; quod, quia propius vero videtur, exponam.* *Harold* comming to his farm at *Beſeam*, going for his recreation into a fiſher-boat, and putting forth into the Sea in ſport, was by a ſudden contrary ſtorm ariſing, driven with his companions into the Village of *Ponthieu* in *France*, where he was ſtripped and bound hand and foot by the rude Country people, and carried Priſoner to *Guido* their Earl, who detained him in Priſon to gain a ranſom from him. Whereupon *Harold* being of a ſubtil wit, ſtudying how to relieve himſelf, by large promiſes procured a Meſſenger to inform Duke *William*, that *he was ſent by the King into* Normandy, *that what leſſer Meſſengers had but muttered (touching his Succeſſion to the Crown of* England) *he might perform by his preſence*; eſpecially that he was detained in bonds by Earl *Guido*, wherby he was hindered to deliver his meſſage, notwithſtanding his appeal to him, which was a great diminution to his honor : and if his captivity were to be redeemed with monie, he would willingly give it to him and not to *Guido* ; Upon which, he was by Duke *Williams* command releaſed, brought by *Guido* into *Normandy* ; and there nobly feaſted by the Duke : where by his valour and policy he gained great reputation with Duke *William* ; and that he might more indear himſelf in his favour, he *there voluntarily of his own accord, confirmed to him the Caſtle of* Dover, *which belonged to him of right, and the Kingdom of* England *after King* Edwards *deceaſe* : whereupon the Duke eſpouſed him to his daughter (*Adeliza*) then a child, and beſtowed her whole ample portion upon *Harold*, and then honourably diſmiſſed him.

[t] *Matthew Weſtminſter* Anno 1057. relating this Story of *Harolds* driving into *Ponthieu* by ſtorm againſt his will, as hapning in that year ; and that to ingratiate himſelf with Duke *William* : *Poſt mortem Regis*

[t] *Flores Hiſt.* p. 426.

gis Edwardi *ei Regnum Angliæ Sacramento firmavit*: subjoyns thereto: *Tradunt autem aliter alii, quod videlicet* Haroldus *a Rege* Edwardo *fuerat ad hoc in* Normanniam *missus, ut Ducem* Gulihelmum *in* Angliam *conduceret, quem idem Rex* Edwardus *Hæredem sibi constituere cogitavit.*

Roger de Hoved. Annal. pars prior. p. 449. *Radulph. de Diceto* Abbr. Chron. col. 480, 481. *Eadmerus* Hist. Novorum, l. 1. p. 4, 5. *Sim. Dunel.* Hist. col. 195. *Jo. Bromton* in his Chronicle, col. 947. *Hygden* in his Polychron. l. 6. c. 27. with others, record the matter somewhat different from our other Historians. That *Harold* after his Fathers death craving leave of King *Edward* to goe into *Normandy*, to free and bring into *England* his Brother *Wulnoth*, & Nephew *Hake*, there detained Hostages; the King would not permit him to goe as sent by him, but yet left him free to *do what he pleased of himself therein*: Adding, *Præsentio tamen te ad nihil aliud tendere, nisi in detrimentum totius Anglici regni, et opprobrium tui; nec enim ita novi Comitem mentis expertem ut eos aliquatenus velit concedere tibi, si non præscierit in hoc magnum proficuum sui. Harold* notwithstanding taking ship to go into *Normandy* upon this occasion, was driven by storm into *Ponthieu*, and there imprisoned as aforesaid, and by Duke *Williams* means and threats, after two denials, released: who honourably entertaining him for some dayes, to advance his own designs by him; at last opened his minde thus to him. *Dicebat itaque Regem* Edwardum *quando secum invenem olim juvenis in Normannia demoraretur, sibi interposita fide sua, pollicitum fuisse, quod si Rex Angliæ foret,* Jus regni in illum Jure Hæreditario transferret; *& subdens ait; tu quoque si mihi te in hoc ipso adminiculaturum sponderis, et insuper castellum* Dofris, *cum puteo aquæ, ad opus meum te facturum, sororemque tuam, unde Principibus meis dederis in uxorem, te ad me tempore, quo nobis conveniet, destinaturum, nec non filiam meam in con-*

jugem

jugem accepturum, promiſeris; tunc et modo nepotem tuum: et cum in Angliam venero regnaturus fratrem tuum incolumem recipies: in quo regno, ſi tuo favore confirmatus fuero, ſpondeo, quod omne quod à me rationabiliter tibi poſtulaveris obtinebis. Hereupon *Harold* perceiving danger on every ſide, and not knowing how to eſcape, unleſs he condeſcended to *Williams* will in all things, he thereupon conſented to his requeſts. But he, that all things might be ratified, bringing forth the reliques of Saints, brought *Harold* to this, *That he ſhould ſwear upon them, that he would actually perform all things which they had agreed between them.* Theſe things thus done, *Harold* receiving his Nephew, returned into his Country, where he related to the King, upon his demand, what had happened, and what hee had done; Who ſaid, *Did I not tell thee I knew* William, *and that many miſchiefs might happen to this kingdom in thy journey; I foreſee in this thy deed, that great calamities will come upon our Nation, which I beſeech God of his infinite mercy to grant, that they may not happen in my dayes.* [u] Mr. *Fox* relating this ſtory more briefly, concludes thus. *Whereby it may be gathered That King* Edward *was right willing that Duke* William *ſhould reign after him; and alſo it ſeemeth not unlike, but that he had given him his promiſe thereunto before.* The ſame *Hoveden*, Annalium pars poſterior, p. 608, 609, 610. reciting the Laws of King *Edward* confirmed by King *William* after he got the Crown; records theſe paſſages intermixed with them. That King *Edward* retained his Coſen *Edwards* ſon, *Edgar*, with him, and nouriſhed him for his Son, and becauſe he thought to make him his Heir, he named him *Adeling*, which we call a Little Lord. But King *Edward* ſo ſoon as he knew the wickedneſſe of his Nation, and eſpecially the pride of the Sons of *Godwin*, of *Harold*, (who after invaded the Kingdom) *Eſtigurt*, *Leſwin*, and others of his Brothers; imagining that what he had purpoſed

[u] *Acts and Monuments, vol. 1. p. 213.*

concerning *Edgar*, could not possibly be stable; Adoptavit Willielmum Ducem Normannorum in regnum: *adopted* William *Duke of* Normandy *to succeed him in the Realm*; William, I say, the bastard, the son of *Robert* his Uncle, *a valiant, warlike, and stout man: Who afterwards by Gods assistance, by vanquishing the foresaid* Harold *son of* Godwin, *victoriously obtained the Realm of* England. To which he subjoyns, That *Edward* wanting issue, sent *Robert* Archbishop of *Canterbury* to his Cosen *William* Duke of *Normandy*, & *de Regno eum constituit Hæredem*; and made him heir of the Kingdom: yea after him he sent Earl *Harold*; and He invaded the Realm; He further Records; That when King *William* would have altered the Laws of *England* presented to him upon Oath in the 4th year of his reign but in one point. *Universi compatriotæ, qui leges edixerant tristes effecti, &c. tandem eum prosecuti sunt deprecantes, quatenus pro anima Regis Edwardi* qui ei post diem suum concesserat Coronam et Regnum, *et cujus erant Leges*, that he would not alter the Laws herein, whereupon he consented to their request.

[x] Ypodigma Neustria, p. 28.

[x] *Thomas of Walsingham* thus registers the fact. *Edwardus* Rex *Anglorum*, prolis successione carens, olim miserat Duci *Robertum* Archiepiscopum Cantuar. statuens illum hæredem Regni a Deo sibi attributi. Sed et *Haroldum* ipse postmodum destinavit, qui fuit maximus Comitum regni sui in honore, dominatione et divitiis, ut ei de Corona sua fidelitatem faceret; ac Christiano more Sacramentis confirmaret; Qui dum ob hoc negotii venire contenderet, velificato freto, Porti Pontnium appulit, ubi in manus Widonis Abbatis villæ S. Abvile Comitis incidit, quem idem Comes captum, cum suis confestim in custodiam trusit. Quod ut Dux comperit missis Legatis violenter illum extorsit, quem aliquandiu secum morat⁹ facto fidelitate de regno pluribus Sacramentis, cum muneribus multis Regi remisit. Denique Rex *Edwardus*, completo termino fœlicis

licis vitæ, &c. migravit a sæculo. Cujus regnum *Haroldus* continuo invasit, ex fidelitate pejuratus quam Duci Juraverat. Ad quem Legatos direxit protinus, hortans ut ab hac vesania resipisceret, fidem quam Juramento spopondera, cum digna subjectione servaret. Sed ille hoc non solum audire contempsit, verum omnem ab illo Anglorum gentem infidelitèr avertit, &c.

Chronicon Johannis Bromton, Col. 945. relates, That King *Edward* purposed to make *Edgar* (whom he had nourished as his Son) heir of England: *Sed ut quidam aiunt, Rex gentis suæ malitiam, et præcipuè superbiam* Haroldi, *filii* Godwini, *et aliorum divina demonstratione providens, perceperit, quod propositum suum, quoad ipsum* Edgarum *cognatum suum, de regno post eum obtinendo, minimè potuit adimplere, unde* Willielmo *cognato suo* Normannorum *Duci*, Regnum post eum optinendum per solennes nuncios assignavit. And Col. 957. he adds, *Some say that King* Edward *before his death had appointed* William *to succeed him, according to the promise which the said King had made him when he was a young man living in* Normandy, *that he should succeed him in the Kingdom; concerning which, as some write, he had sent solemn Messengers to him into* Normandy. The like is affirmed almost in the same words by *Henry de Knyghton* de Eventibus Angliæ, l. 1. c 15. col. 2238. and by *Fabian*, *Caxton*, *Cambden*, *Holinshed*, *Grafton*, *Speed*, *Daniel*, *Stow*, *Vestegan*, and other modern Historians.

[y] *Matthew Paris* in the beginning of his History of *England*, p. 1. relates *Harolds* driving into *Pountoise* by storm, as he was taking his pleasure at Sea, his presenting to Duke *William*, his espousals to his daughter under age, which he ratified by Oath taken upon the reliques of Saints; adding, *Juravit insuper, se post obitum Regis* Edwardi, *qui jam senuit sine liberis*, Regnum Angliæ Duci, qui in Regnum jus habuit, fidelitèr conservaturum. *Consummatis igitur aliquot diebus*

[y] *Hist. Ang.* p. 12.

cum summa lætitia, amplis muneribus ditatus, in Angliam *reversus est* Haroldus. *Sed cum in tuto constitueretur, jactabat se laqueos evasisse Hostiles,* Perjurii crimen eligendo. And * Anno 1257. Writing of the Lay Peers of *France*, whereof the *Duke of Normandy* is first, he hath this passage. *Rex Angliæ*, Dux *est de jure* Normanniæ, *sanguinis derivatione geneali: Rex ex conquestu: dicitur tamen quod beatus* Edwardus, *eo quod hæredem carnit,* Regnum legavit Willielmo Bastardo Duci Normannorum. *Sed hoc* roboze asseruitur caruisse; quia hoc fecit in lecto Lethali, et sine Baronagii sui communi consensu.

* *Hist. Angl.* p. 912.

Propositi. 10.

By all which Testimonies, as likewise by the expres relations of Mr. *Cambden* in his *Britannia*, p. 144, 145. *Richard Verstegan* his *Restitution of decayed Antiquities*. *Matthew Parker*, his *Antiquitates Ecclesiæ Britannicæ*, p. 88. *Mr. Seldens Review of his History of Tithes*; p. 482, 483. it is apparent, that King *Edward* whiles he was in *Normandy*, before he was King; upon Duke *Williams* repairing into *England* to him after he was King, by several Messengers, and Hostages sent to him in his old age, and in his very death-bed, appointed Duke *William* to be both his successor and heir to the Crown of *England*, and that *Harold*, either voluntarily, as purposely sent by King *Edward*, or craftily, upon pretence he was sent by him, to work his own enlargement and his Nephews; or upon *Williams* motion to him; voluntarily swore, that he would faithfully preserve the Crown and Realm of *England* for him after King *Edwards* death, who had appointed him to succeed him, as his heir & next kinsman by the mothers side, and that he intended to dishinherit his Cosen *Edgar Atheling* of it, though next heir to it, by reason of his minority, unfitness, and indisposition both of body and minde, to sway the Scepter of the Realm.

Anno 1066.

King *Edward*, having finished his Abby of *Westminster*, and endowed it with ample lands and privileges by three

three ſeveral Charters, by the *advice and aſſent of all his Biſhops and Nobles* as (z) aforeſaid, Anno 1066, cauſed it to be ſolemnly conſecrated on *Innocents* day, with great ſolemnity; but falling ſick in the midſt of theſe feſtival Solemnities of its dedication, he betook himſelf to his bed; where continuing ſpeechleſſe for two days ſpace together, on the third day, giving a great groan, and ariſing as it were from the dead, he related to thoſe then about him, a Viſion he had ſeen touching the State of *England*; Namely, that two religious Monks he had formerly known in *Normandy*, dead many years before, were ſent unto him with this meſſage, declaring the Corruptions and Vices both of the Clergy, Nobility, Gentry, and People of *England*, and the judgements ready to fall upon them for the ſame: Which [a] *Matthew Weſtminſter* thus relates. *Quoniam Primores Angliæ, Duces, Epiſcopi & Abbates, non ſunt Miniſtri Dei, ſed Diaboli, tradidit Deus hoc regnum uno anno, et die uno, in manu inimici; Dæmoneſque terram hanc totam pervagabunt:* [b] Abbot *Ailred* thus records it, *Impletum dicunt Anglorum nequitiam, & iniquitas conſummata iram provocat, accelerat vindictam. Sacerdotes prævaricati ſunt pactum* Domini, *polluto pectore & manibus iniquitatis ſancta contrectant, & non Paſtores, ſed Mercenarii exponunt lupis oves, non protegunt, lac & lanam quærunt, non oves, ut detruſos ad inferos, mors & paſtores depaſcat et oves. Sed et Principes terræ infideles, Socia furum* PRÆDONES PATRIÆ, *quibus nec Deus timori eſt*, NEC LEX HONORI, *quibus veritas oneri*, JUS CONTEMPTUI, CRUDELITAS DELECTATIONI. *Itaque* NEC SERVANT PRÆLATI JUSTITIAM, *nec ſubditi diſciplinam. Et ecce Dominus gladium ſuum vibravit, arcum ſuum tetendit, et paravit illum: oſtendet deinceps populo hinc iram & indignationē, immiſſiones inſuper per Angelos malos, quibus traditi ſunt anno uno & die uno, igne ſimul et gladio puniendi.* The King groaning and

[z] *Mat. weſt Florentius Wigorn. Hoveden, Ailredus, Bromton, Polychron. Fabian, Caxton, Grafton, Holinſhed, Fox, Spelman, Speed.*

[a] *Flores Hiſt.* p. 431.

[b] *De Vita & Miraculis Edwardi Confeſſoris, col.* 399, 400.

and sighing for this calamity that was ready to fall upon his people, demanded of the Monks: 'Whether if 'they repented of their sins upon his admonition to 'them, God would not pardon them, and remove his 'judgements, as he did from the *Ninivites?* They replied, 'That God would by no means receive them into 'his favour, because the heart of this people was hard-'ned, and their eyes blinded, and their ears deafned, 'that they would not hear reproof, nor understand ad-'monition, nor be terrified with threatnings, nor pro-'voked with his late benefits. The King thereupon demanded, 'Whether God would be angry for ever? 'Whether he would be any more intreated? and when 'they might hope for a release of so great calamities? To which they replyed; 'That if a green tree cut in the 'midst, and carried a great space from the stock, could 'without any help reunite it self to the root, and grow 'again, and bring forth fruit, then might the remission 'of such evils be hoped for. The veritie of which Prophecy (add our Historians) the Englishmen experimentally felt, namely, *That* England *should be an habitation of strangers, and a Domination of Foreiners, because a little space after, scarce any Englishman was either a King, a Duke, Bishop, or Abbot, neither was there any hope also of the end of this misery.* King *Edward* after his relation of this Vision to the Nobles and Prelates then about him, yielded up the Ghost and died without issue on *Epiphany* Eve, An. 1066. and was solemnly interred the next day in *Westminster Abbey*, the *royal line of the Saxon Kings ending in him, which had continued from* Cerdic *the first King of the West-Saxons for 571. years, without interruption, except by some* Danish *Usurpers, who for the Sins of the English reigned for some years over them, with rigour*, and were soon cut off by death.

CHAP.

CHAPTER 6.

Comprising the Hiſtorical Paſſages relating to the Parliamentary Councils, Lawes, Liberties, Properties, Rights, Government of England, *Anno* 1066. *under the Short reign of the Uſurper King* Harold, *till the Coronation of King* William *the Firſt, falſly ſurnamed,* The Conquerour, *though never* claiming the Crown by Conqueſt, but Title.

KIng *Edward* deceaſing without any iſſue of his body to ſucceed him, refuſing all carnal copulation with his Queen, either out of *a vowed virginity*, as moſt Hiſtorians conclude; or, out of a deteſtation of Earl *Godwins Trayterous* race, quod *Rex Religioſus* de genere proditoris, hæredes qui ſibi ſuccederent, corrupto ſemine *Regio nolue rit procreari*, as [a] *Ingulphus*, [b] *Matthew Weſtminſter*, and others record; thereby expoſed the kingdom for a prey to the ambitious Pretenders aſpiring after it. Upon which conſideration, *præſentiebant plures in ejus morte, deſolationem Patriæ, Plebis exterminium, totius Angliæ Nobilitatis excidium*, finem libertatis, *honoris ruinam*, (as [c] Abbot *Ailred* informs us.) The Engliſh Prelates and Nobles being then all aſſembled at *Weſtminſter* to the ſolemn conſecration of the *Abbey*, were *Anno* 1066.

[a] *Hiſtoria*, p. 899, 900.
[b] *Flores Hiſt.* p. 433. *Malmsbury de Geſtis Regum*, l. 2. c. 13.
[c] *De vita & Miraculis Edwardi Confeſſoris*, col. 399.

were much perplexed, and the generality of the people exceedingly grieved at his death. For although he were, [d] *Vir propter morum simplicitatem parum imperio idoneus*, yet he was *Deo devotus*, *ideoque ab eo directus. Denique eo regnante; nullus tumultus domesticus, qui non cito comprimeretur, nullum bellum forinsecus, omnia domi foriſque quieta, omnia tranquilla; quod eo magis ſtupendum, quia ita ſe mansuete ageret, ut nec viles homunculos verbo ladere noſcet. Nam dum quidam vice venatum iſſet, et agreſtis quidem ſtabulata illa, quibus in caſſes cervi urgentur, confudiſſet, ille ſua nobili pereitus ira*, per Deum *inquit* et Matrem ejus, tantundem tibi nocebo, ſi potero. *Egregius animus quiſe regem in talibus non meminiſſet, nec abjecta conditionis homini* ſe poſſe nocere putaret. *Erat interea ejus apud domeſticos reverentia vehemens, apud exteros metus ingens: fovebat profecto ejus ſimplicitatem Deus, ut poſſet timeri, qui neſciret iraſci*; No wonder then if his death were much lamented by all his Subjects, [e] *cum omnes et in Rege cernerent unde gauderent, et in ſe ſentirent unde dolerent.* The *Engliſh Nobility* were much troubled and divided in their minds and affections, which were wavering, touching the election of a fit perſon to ſucceed him; (f) *Fluctuabant* Proceres Regni *quem ſibi Regem praficerent et Rectorem.* Many of them favoured *William* Duke of *Normandy*, as ſpecially deſigned by King *Edward* to ſucceed him; others of them inclined to Prince Edgar *Atheling*, as the next and right heir to the Crown, Cui de Jure debebatur: Others of them favored *Harold*, Earl *Godwins* ſon, as being a perſon then of greateſt Power and Valour in the Realm, [g] *Anglia dubio favore nutabat cui ſe Rectori committeret incerta, an* Haraldo, *an* Willielmo, *an* Edgaro. *Nam & illum pro genere proximum regno, Proceribus Rex commendaverat.* *Harold* being a crafty ſubtil man, knowing that delayes were hurtfull to thoſe who were prepared, on the very day of *Epiphany*, whereon *King Edward*

[d] Malmsbu. de Geſtis Reg. l. 2. c. 13. p. 79.

[e] Ailredus de Vita, et Miraculis Edwardi Confeſſoris, col. 402.

[f] Mat. Weſtminſter, Anno 1066. p. 433.

[g] Malmsb. de Geſt. Regum, l. 3. p. 99.

ward was buried, having the command of all the Militia and forces of the Realm, as *General* and *Vice-roy* to the deceaſed King, by the ſtrength *of himſelf and his kinred and friends, invaded and ſeized upon the royal Crown, and then preſently ſet it upon his own head, crowning himſelf King without any Title, Right, or due Election by the Nobles, or Coronation by the Biſhops,* (*whereby he incurred the hatred both of the* Engliſh *Prelates and Pope*;) *and then extorted allegeance from the Nobles*; as *Williams* of *Malmsbury*, *Matthew Paris*, *Ingulphus*, *Henry Huntindon*, *Matthew Weſtminſter*, the Chronicle of *Bromton*, *Knyghton*, *Caxton*, *Mr. Fox*, *Speed*, and ſome others atteſt. But *Marianus Scotus*, *Florent. Wigornienſis*, *Roger de Hoveden*, *Sim. Dunelm.* *Radulfus de Diceto*, *Eadmerus*, *Hygden*, *Fabian*, *Grafton*, with others, write in favour of *Harold*, that *King* Edward *before his death, made him not only his General, but Vice-roy*; *and ordained, that he ſhould be King after him.* Whereupon, A totius Angliæ Primatibus ad regale culmen electus, *he was elected to be King by all the Nobles of* England. *and ſolemnly conſecrated and crowned King by* Aldred *Archbiſhop of* Yorke. And ſo, *Juxta quod ante mortem* (Edwardus) *ſtatuerat, in Regnum ei ſucceſſit* Haroldus, writes [*l*] *Eadmerus*. That King Edward deſigned him for his Succeſſor in the Crown, ſeems very improbable, becauſe *Harold* himſelf never alleged nor pretended it in any of his Anſwers to Duke *Williams* Embaſſadors to him, who claimed the Crown by his ſpeciall bequeſt and deſignation in his life-time; and becauſe King *Edwards* hatred to *Godwin* and his Poſterity, ſeems inconſiſtent with it.

[*b*] *Hiſtoria, Novorum, l. 1. p. 5.*

[*i*] *William of Malmsbury* an impartial diſingaged Author living in, or near that time, gives us this determination of theſe diffrent relations. *Recenti adhuc regalis funeris luctu*, Haroldus *ipſo* Theophaniæ *die, extorta a Principibus fide*, arripuit Diadema, *quamvis Angli dicant*, a Rege conceſſum: *quod tamen magis benevo-*

[*i*] *De Geſtis Regum, l. 2. c. 13. p. 93.*

lentia, quam judicio allegari existimo, ut illi hæreditatem transfunderet suam, cujus semper suspectam habuerat potentiam. Quamvis, ut non celetur veritas, pro persona quam gerebat, regnum prudentia & fortitudine gubernaret, si legitime susceptisset. Abbot [k] *Ingulphus* living at that time, thus relates his intrusion into the Throne against his Oath. *In crastino Regii funeris Comes* Haroldus, *contra suum statum & jusjurandum, contempter præstitæ fidei, ac nequiter oblitus sui Sacramenti, Throno Regio se intrusit*: yet adds; *per Archiepiscopum Eboracæ* Aldredum *solenniter coronatus*: (l) *Henry Huntindon* thus records it, *Quidem Anglorum* Edgar Adeling *promovere volebant in Regem*: Haroldus *vero, viribus et genere fretus* Regni Diadema invasit. The (m) Chronicle of *Bromton*, and (n) *Knyghton*, thus give us the story of it. *Sancto* Edwardo *rege et Confessore mortuo, quidam Anglorum Magnates* Edgarum Adelynge, *filium* Edwardi, *filii Regis* Edmondi Ironside *in Regem promovere molirebantur*; *sed quia puer erat, et tanto oneri minus idoneus, et in bursa minus refertus*, Haroldus *Comes viribus et genere fretus, Cui erat Mens astutior, crumena fecundior, et miles copiosior, et pompis glorioſior*, sinistro omine Regnum occupavit, *et contra Sacramentum quod* Willielmo *Duci* Normanniæ *præstiterat*, Regni Diadema sinistro omine illico invasit, *et sic perjurus sancto* Edwardo *successit: juxta quod idem* Edwardus, *ut quidam aiunt, ante mortem suam statuerat promissione quam idem Rex dum juvenis in* Normannia *extitit, dicto* Willielmo *de succedendo post eum in regnum fecerat, & sibi super hoc postea secundum quosdam* solemnes nuncios, ut *præmittitur*, *destinaverat*, non obstante. (o) *Abbot Ailred*, thus registers *Harolds* usurpation, and the sad events thereof. *Interea* Haroldus, Godwini *filius, Regnum* Angliæ *quod secundum fidem Sacramenti debuerat servasse* Willielmo *Regis* Edmundi *consobrino*, sibi nec Jure debitum, nec Natura, irreverenter usurpans, *malum quod*

[k] *Historia*, p. 909.

[l] *Historiarum* l. 6. p. 367.

[m] *Col.* 957.

[n] *De Eventibus Angliæ*, l. 2. c. 15. col. 2339.

[o] *De Vita & Miraculis Edwardi Confessoris*, col. 404.

quod Angliæ *ſecundum* Sancti Regis *oraculum Dominus præparaverat* tranſgreſsione pacti et fidei accelseravit læſione. *Ut autem attenuati viribus, facilius ab his quos injuſtè provocaverat hoſtibus vinceretur, ſuſcitavit ei a parte aquilonis inimicos*, Haroldum *cognomento* Harfar, Norwagenorum *regem, et* Toſtium *fratrem ſuum, quem de Anglia ipſe expulerat* &c. (p) *Tho. Walſingham* thus ſtories it. *Cujus regnum* Haroldus *continuo invaſit, ex fidelitate pejuratus quam Duci juraverat. Ad quem Legatos direxit protinus, hortans ut ab hac veſania reſipiſceret, et fidem quam juramento ſpoſponderat, cum digna ſubjectione ſervaret. Sed ille hoc non ſolum audire contempſit, verum omnem ab illo Anglorum gentem* infideliter avertit. *Hygden* in his Polychronicon, l. 6. c. 28. Mr *John Fox*, Acts and Monuments Vol. 1. p. 214. Mr. *Cambden* in his *Britannia*, p. 145, 146. *Holinſhed*, Sir *John Hayward*, Sir *Richard Baker*, affirm the like, and incline to this opinion. That *Harold*, by his might, power, craft, policy uſurped, and invaded the Crown, without any right, againſt his Oath. I ſhall ſumm up all their Opinions in the words of (q) *John Speed*. 'After King *Edwards* death, the Stateſmen 'perplexed for choice of a new, *Edgar Athelings* 'title was worthy more reſpect than it found, for him 'they held too young for government: beſides a ſtran-'ger born, ſcarce ſpeaking *Engliſh*, and withall the 'prophecies of *Edward*, touching the alienation of the 'Crown, the intereſt of the *Danes*, and the claim of '*Duke William*, made, (both by gift and conſanguini-'ty) bred great diſtractions of deſires and opinions, but 'nothing concluded for ſetling the State; no man aſ-'ſuming or poſſeſſing the diadem, becauſe none had the 'power or right to adorn therewith his own head. In 'this calm conference a ſudden gale aroſe, which blew 'all the ſails ſpred for that wind into one port. *Harold*, 'ſon to Earl *Godwin*, a man (duly prizing his many 'worthy parts) not unmeet for a Kingdom, next *Ed-*

(p) *Ypodigma Neuſtriæ*, p. 28.

(q) *Hiſtory of Great Britain*, p. 416, 417.

'ward (his Brorher-in-law,) in the kingdom, courte-
'ous in speech and behaviour, in martial prowesse the
'only man, (*qui vivente* Edwardo *quacunque contra e-*
'*um bella incensa sunt, virtute sua compressit, cupiens se*
'*Provincialibus ostentare*, in regnum scilicet spe præsti-
'enti anhelans, as(r) *Malmsbury* writes of him) friend-
'ded by affinity of many of the Nobles, expected to be
'both sided and assisted, if his cause came either to tri-
'al or voice, seeing the time well fitted his entrance.
'*Swane* King of *Denmark* (most dreaded by the *Eng-*
'*lish*) being then intangled with the *Sweden* wars; *Wil-*
'*liam* the *Norman* (that made claim from King *Ed-*
'*ward*) then absent, and at variance with *Philip* the
'*French King*; the friends of *Edgar* in *Hungary*, and
'himself a Stranger, over young for to rule: all which
'concurrent made *Harold*, without deliberation, or or-
'der from the States, to set the Crown on his own
'head, regardlesse of all ceremony, and solemn cele-
'bration: for which act, as a violater of holy rites, he
'too too-much offended the Clergy, none either great-
'ly applauding or disapproving his presumption, except
'only for the omission of manner and form.

(r) *De Gestis Regum, l. 2. c. 13 f. 93, 94.*

Harold having gotten actual possession of the Crown, *Marianus Scotus*, *Florentius Wigornienſis*, *Huntindon*, *Hoveden*, *Sim. Dunelmenſis*, *Radulphus de Diceto*, *Hygden*, *Fabian*, *Graſton*, *Holinſhed*, *Cambden*, and *Speed*, record; that to ingratiate himself with the Clergy & people, 'He began to destroy evil Laws and
'Customs before used: and stablished just and good
'Laws; especially such as were for the defence of ho-
'ly Church: He likewise became a Patron of Churches
'and Monasteries, respected and reverenced Bishops,
'Abbots, Monks and Clergymen; shewed himself pi-
'ous, humble, affable to all good men, and hatefull
'to all Malefactors; publickly commanding all his
'Dukes, Earls, Sheriffs, and other Officers, to appre-
'hend all Thieves, Robbers, and Disturbers of the
Realm,

'Realm; himself likewise taking extraordinary paines
'and care for the defence and guarding of the Realm,
'both by Land and Sea Whereunto *John Speed* super-
adds, 'He remitted or diminished the grievous cu- *Propoſit.* 1, 2, 5,
'ſtoms and Tribute which his Predeceſſors had rai-
'ſed; a courſe ever powerfull to win the hearts of the
'Commons: to Churchmen he was very munificent,
'and carefull of their advancement; and to grow more
'deeply in their venerable eſteem, he repaired their Mo-
'naſteries, eſpecially that at *Waltham*, which he ſump-
'tuouſly new built, and richly endowed. Moreover,
'to ſatisfie ſuch Nobles as affected young *Edgar*, he
'created him *Earl of Oxford*, and held him in ſpecial
'favour. In brief, unto the poor his hand was ever o-
'pen, unto the oppreſſed, he adminiſtred Juſtice; and
'all to hold that Crown upright which he had ſet on his
'own head with an unſure hand, and deprived him of
'unto whom he was Protector. But theſe Encomiums
of his Juſtice and Government, ſeem to me, to be rather
forged than real. For how could he *reform ill Laws
and Cuſtoms, and enact good Laws*, when King *Edward*
had ſo newly and exactly done it before him, that there
was no need of ſuch a reformation; neither finde we
the leaſt mention of any Laws made by *Harold?* Or
how could he remit, or diminiſh thoſe grievous cuſtoms
and Tributes, which King *Edward* had totally remitted
before him, unleſs himſelf firſt revived them? Or
how could he court the Prelates and Clergy, when as
he refuſed to be conſecrated by them, for which he in-
curred their diſfavour? I rather therefore incline to the
quite contrary Characters which other Hiſtorians give
of him and his Government, as moſt conſonant to truth.

[ſ] *Henry de Knyghton*, though he recites what ſome (ſ) *De Eventibus Angliæ*, *l.* 1. *c.* 16. *col.* 2339.
foremention'd write in his favour, yet gives us this ac-
count of his proceedings himſelf: *Iſte devenit nimis elatus et cupidus in collectione auri et argenti et theſaurorum, nec aliquam uxorem ducere voluit, & vi oppreſſit*

filias Baronum & Procerum, atque Militum de regno: quod ipsi aegrè ferebant; Et de Foresiis suis tantam ferocitatẽ & severitatem erga adjacentes Nobiliores exercuit, quod quamplures adnihilavit, et multos depauperavit. Nec mirum quamvis ex hiis et aliis nimis odiosus devenit populis suis. *Et ideo pars* Comitum et Baronum *ad invicem conferebant, dicentes, ipsum non esse fortunæ deditum,* nec verum esse Regem, sed per intrusionem erectum, et ideo infauste regere populum suum. Et mandaverunt Willielmo *Duci* Normanniæ, *ut in* Angliam *veniret* eorum Consilio et Auxilio Jus Regni prosecuturus, *fecerunteque ei fidelem securitatem veniendi, et consensit.* And *Matthew Westminster* gives us this character of him: *Superbia elatus jam factus de* Rege Tyrannus, *Rex* Haroldus *in multis patrisans temerarius fuit, et indiscretus, in præsumptione ancipiti nimis suæ invictæ confidens fortitudini, laudis cupidus et* Thesauri, *promissorum immemor arridente prosperitate.* Unde ipsis Anglis quibus præerat, etiam consanguineis se præbuerat odiosum; *victoriamque cum illi Dominus exercituum et Deus ultionum concesserat, non Deo sed sibi, suæque ascripsit strenuitati. Quod recenti experientia fuerat comprobatum, cum a Noricis evillis Superbus* spoliisque omnium retentis, *quæ aliis promissa debebantur, ad* Normannorum *prælia præcipitanter et inconsultè festinavit. Unde Ducis* Gulihelmi, *magnanimi in negotiis bellicis peragendis, et circumspecti, fidelis in pollicitis, in pace sociabilis & jucundi, in conviviis dapsilis et sereni, omnibus fere, tam Anglis quam conterminis, maxime tamen* Noricis *acceptabatur. Recipientes eum benevole dicebant;* Benedictus qui venit in nomine Domini, *Rex pacificus, bellator victoriosus, pater & protector desolatorum. Dominus autem* Papa, *simulque fratres Cardinales universi, cum tota Curia* Romana, *Regem* Haroldum *semper exosum habentes, pro eo quod sibimet diadema Regni, sine eorum convenientia, et ecclesiastica solemnitate, consensuque Prælatorum, præsumpserat, injuriam*

(t) *Flores Hist. p.* 434, 44[illegible].

riam dissimularunt. Et videntes, quo sine ansa præsumptio terminaretur, cum fortuna adversa sunt adversati, potentioriq, manu atque victrici, more cupidorum, vel potius arundinis exagitata ventorum turbine, quantocius inclinaverunt. Such was the Popes & Clergies temper then.

(u) Duke *William* being certainly informed, that *Harold* contrary to his Oath and promise to him, had without right or Title invaded the Crown, and being secretly invited by some of the English Nobles to challenge his own right thereunto by Kings *Edwards* designation; sent Messengers to *Harold*, who mildly reprehending him for his breach of Covenant, added by way of menace, that he would before the year expired exact his due from him by force of arms, in case he refused voluntarily to yield up the kingdom to him. But *Harold* growing secure, contemning his threats, (as never likely to be put in execution, both because the Dukes daughter, to whom he was espoused, was dead, and himself involved in wars with his Neighbour Princes) returned his Messengers to him with this answer, (x) *Harold King of* England *sends you this answer, That true it is, when he espoused your daughter in* Normandy, *being compelled by necessity,* He sware that the Realm of England should belong to thee. *But against this he asserts, That a forced Oath is not to be kept: For if a vow or oath which a Virgin had knowingly made concerning her body, in the house of her Father, without her parents consent, was revocable and void: much more the Oath which he, being under the Scepter of the King, had made without his knowledge, by compulsion, ought to be nulled and made voyd, as he asserted. Moreover he affirmed,* Nimis præsumptuosum fuisse, quod absque generali Consensu Regni Hæreditatem vobis juraverat alienandam. Addidit etiam Injustum esse petere, ut e regno discedat, quod tanto Principum favore, susceperat gubernandum. *That it was overmuch presumption in him, that without the general consent of the Realm, he had sworn the*

(u) *Ingulphus, Malmsb. Wigorn. Huntingdon, Hoveden, Mat. Paris, Mat. Westminst. Walsingham, Ypodigma Neustriæ, Sim. Dunelm. Radulphus de Diceto, Bromton, Hygden, Knyghton, Fabian, Caxton, Grafton, Holinshed, Speed, Daniel, Baker, S. J. Haywood, and others.*

(x) *Mat. Westm. p. 434 435.*

Propoſit. 5, 10.

the inheritance thereof should be alienated to him: That King Edward being then living, he could neither give away the Kingdoms succession to him, nor grant it to any other without his consent; Et sine populi consensu, Senatus Decreto, et nesciente omni Anglia, de toto Regno, necessitate temporis coactus impegerit: and without the consent of the people, and decree of the SENATE, (or Parliament) he could not promise to him the whole Realm of *England*, without the knowledg of all *England*, being compelld therto only by the necessity of the time. *Adding moreover, that it was unjust to demand, that he should depart from that kingdom, which he had undertaken to govern with so great favour of the Nobles*; (y) *Eadmerus*, (z) *Radulphus de Dicето*, and some others, record this to be his Answer then returned to Duke William. *Soror mea, quam juxta conditum expetis, mortua est. Quod si corpus ejus quale nunc est vult Comes habere, mittam, ne judicer Sacramentum violasse quod feci. Castellum* Dofris, *et in eo puteum aqua, licet nesciam cui, ut vobis convenit, explevi* Regnum quod nondum fuit meum, quo Jure potui dare vel promittere? *Si de filia sua quam debui in uxorem, ut asserit, ducere agit; Super Regnum Angliæ mulierem extraneam*, inconsultis Principibus me nec debere, nec sine grandi injuria posse adducere noverit.

(y) Hist. Norum, l. 1. p. 5. [z] Abbreviat. Chron. col. 481.

Propositi. 10, c.

(a) 'The *Norman*, who till then, thought *England* 'sure to be his, and had devoted his hopes from a Duke 'to a King, stormed to see himself thus frustrated on 'a sudden, and instead of a Crown to have such scorns 'heaped on his head; therefore, nothing content with 'this slight and scornfull answer, returnd his Ambassa'dors again to *Harold*, by whom he laid his claim more 'at large; As that King *Edward* in the Court of *France*, 'had faithfully promised the Succession unto him, and 'again ratified the same unto him, at his being in Eng'land; and that not done without consent of the State, 'but confirmed by *Stigand* (it should be *Robert*) Archbishop

[1] Speeds History, p. 419. Sr John Hayward in VVill. 1.

'Archbiſhop of *Canterbury*, the Earls *Godwin* and *Siward*, yea and by *Harold* himſelf, and that ſo firmly 'aſſured, that his Brother and Nephew were delive-'red for pledges, and for that end ſent to him into '*Normandy*: that he being no way conſtrained to 'ſwear (as he pretended) he appealed to *Harolds* own 'Conſcience, who beſides his voluntary offer to ſwear 'the ſucceſſion of the Crown unto him, contracted 'himſelf to *Adeliza* his daughter, then but young, 'upon which foundation the Oath was willingly taken. But *Harold* who thought his own head as fit for a Crown as any others, meant nothing leſs than to lay it down upon parly; and therefore told *Williams* Embaſſadours plainly; 'That however *Edward* and he had 'tampered for the Kingdom, yet *Edward* himſelf coming 'in **by election, and not by any Title of Inheritance**, 'his promiſe **was of no validity**, for how could he 'give that wherein he was not intereſted, nor in the '*Danes* time was likely to be? and tell your Duke, that 'our Kingdom is now brought to a ſetled eſtate, and 'with ſuch love and liking of the *Engliſh*, as that they 'will never admit any more a ſtranger to rule over 'them. That the Duke himſelf well knew, that the 'Oath he made him was only for fear of death or im-'priſonment, and that an Oath ſo extorted in time of 'extremity, cannot bind the maker in Conſcience to 'perform it, for that were to joyn one ſin with ano-'ther. With which and the like Speeches he ſhifted off the Dukes Embaſſadours, without any Princely entertainment, or courteous regard: who returned home without reply, (*b*) **vel veris vel veriſimilibus argumentis perſtricti.**

[*b*] *Malmesb. de Geſt. Reg. l. 3. p. 99, 100.*

[*c*] Some of our Hiſtorians record; *That the* Dukes *Meſſengers upon their ſecond Embaſſy, admoniſhing him how religiouſly he had bound himſelf by Oath, and that perjured perſons ſhould be ſure to find perdition from Gods hands, and reproachfull ſhame with men*, waived all other

[*c*] *Eadmerus Hiſt. Nov. l. 1. p. 5. Radulph. de Diceto Abbrev. Chron. col. 481. Cambdens Brit. p. 147.*

ther demands of the Crown, and insisted only upon this; *That* Harold *should marry his Daughter, which he had espoused, according to his promise, else he should certainly know he would by force of Armes challenge the succession of the Kingdom promised to him.* But this seems improbable, because our other Historians conclude, *that his espoused Daughter was dead before this Embassie*; and *Williams* preparations and future Messages claiming the Crown, resolve the contrary. (*d*) *Abbot Ingulphus* flourishing at that time, gives us this sum of their Negotiation, and *Harolds* answer thereunto. *Willielmus autem Comes* Normanniæ *Legatos mittit, fœdera facta dicit, pacta patefecit,* **promissa petit,** *& aliquod justum medium confici requirit. At Rex* Haroldus *Legatos vix auscultat, fœdera fracta negat, pacta recusat, promissa excusat, & omnia justa media oblata sustinet, & subsannat; Cumque hæc intermedia quotidie agerentur, ac solum nunciorum cursus ac recursus tota æstate sine fructu consumerarentur*; The Embassadours returned empty, bringing only *Harolds* unsatisfactory and scornfull Answers with them. (*e*) Wherewith Duke *William* being much inraged, *cast about how to recover that by right of armes which he could not gain by Treaty; providing Ships, Souldiers, Mariners, and all things necessary for an invasive war, making choice of the tallest, skilfullest and goodliest Souldiers he could select, and of such Captains and Commanders, as both in the Army and elsewhere, seemed all of them to be rather Kings than Nobles.* And to set the better colour upon his pretended enterprise, he sent to Pope *Alexander*, acquainting him with the justice of his cause, and the war he had undertaken, his Embassadours setting them forth with all the strength of eloquence, which *Harold* neglected to doe, either through sloathfullness, or diffidence of his Title, or for fear *William* (who strictly watched at Ports) should intercept his Messengers. The Pope having weighed

[d] *Historia p. 900.*

[e] *Mat. Paris Mat. Westmin. Wigornienſis, Sim. Dunelm. Rad. de Diceto, Bromton, Huntind. Hoveden, Hygden, Malmsbur. de Gest. Reg. l. 3. p. 99, 100. Henry de Knyghton, de Eventib. Angl. l. 1. c. 16. Ingulphi Hist. p. 900. Cambdens Britan. p. 148. Speeds Hist. p. 420. Grafton, Fabian, Holinshed, Caxton, Daniel, Baker, Fox, Sir Io. Haywood.*

the

the Title of both parties, ſent a conſecrated Banner to *William*, as an *Omen* of his right to the kingdom, and good ſucceſs taken in the enterpriſe. Which having received, **Conventum magnum Procerum** *apud Liſlibonam*, **fecit, ſuper negotium ſingulorum ſententias ſciſcitatus:** Duke *William* called a Great Council of Nobles at *Lillebon*, demanding every one of their opinions concerning this buſineſs: *Cumque* **omnes** *ejus voluntatem plauſibus excipientes, magnificis promiſſis animaſſent*, **Commeatum Pabium omnibus; pro quantitate poſſeſſionum indixit.** *Henry Huntindon, Hygden, Radulphus de Diceto, Speed, Daniel*, and others relate; That the Lords of *Normandie* in this great Parliamentary Aſſembly, taking Counſel amongſt themſelves, what was beſt to be done in this expedition, *William Fitz-Osbert* counſelled, 'to leave and forſake the war, 'both for ſcarcity of fighting men, and by reaſon of the 'ſtrength, valour, fierceneſs and cruelty of the Ene-'mies. Whereof the other Lords being glad, put their anſwer into his mouth, reſolving *they would all conſent to what he ſhould ſay:* Who comming before the King ſaid; *That he and all his men were ready and devoted to aſſiſt him in that enterpriſe, and ſo were all the other Lords.* Whereupon all the Nobles of *Normandy* being thus unexpectedly ſurprized and bound by his words and promiſe, provided themſelves for the expedition. In this Aſſembly of the *Norman* States, (*f*) *a ſubſidy being propounded, as the ſinews to carry on this great undertaking:* it was anſwered, *That a former war with the* French *had impoveriſhed much of their wealth; That if new wars were now raiſed, and therein their ſubſtance ſpent to gain other parts, it would be there ſo miſſed, as it would hardly be ſufficient to defend their own; That they thought it more ſafe for him to hold what he had, than with hazard of their own to invade the territories of others: That though the war intended were juſt, yet it was not neceſſary, but exceeding dangerous. Beſides, by their allegiance they were not bound to* mili-

Propoſit. 6, 9

(*f*) *Cambdens Brit. p. 147. Speed's Hiſt. p. 421. Daniel Hiſt. p. 34, 351 Propoſit. 139.*

military ſervices in forein parts, **and therefore no payments could be aſſeſſed upon them.** Whereupon the wealthieſt of all the people were ſent for by the Duke, and ſeverally, one by one conferred with; *ſhewing them his right and hopes of* England, *where preferments lay even for the meaneſt of them: only money was the want, which they might ſpare, neither ſhould that be given, but lent upon a plentifull increaſe.* With which words he drew them ſo on, that they ſtrove who ſhould give moſt, and by this means he gathered ſuch a maſſe of money as was ſufficient to defray the war. Beſides, *Fitz Osburne* promiſed to furniſh 40 ſhips at his own charge, the Biſhop of *Bayon* 40, the Biſhop of *Maut* 30. and ſo others accordingly, beyond their abilities: And divers neighbour Princes, upon promiſes of fair poſſeſſions in *England*, aſſiſted him both with Ships and Souldiers. On the other ſide *Harold* to prevent his and the *Danes* invaſions, who likewiſe laid Title to the Crown, provided ſhips and forces, to oppoſe them both by Sea and Land, and repairing to the Port of *Sandwich*, appointed his Navy to meet him there; which being there aſſembled, he ſailed with it to the Iſle of *VVight*, and there watched the coming of *VVilliam* into *England* with his Army all the Summer and Autumn, placing likewiſe his Land forces of Foot in fitting places about the Sea coaſts. But at laſt the victuals of the Navy and land Army being ſpent, they both returned home about the Feaſt of St. *Mary*.

Propoſit. 3.

[g] *Malmsb. Mat. Paris, Mat. weſtm. Huntindon, Hoveden, Sim. Dunelmen. Bromton, Radulph. de Diceto, Hygden, Knyghton, Walſingham, Fabian, Caxt, Holinſhed, Graft. Speed, Daniel, Baker, Ailredus Abba. Sir Iohn Haywood.*

(g) Soon after Divine Providence, to make the eaſier and ſpeedier way for *Harolds* overthrow, ſtirred up his own Brother *Toſti*, the baniſhed Earl of *Northumberland*, to recover his Earldom, and avenge himſelf of *Harold* (who exiled him) ſome think by Duke *VVilliams* advice, they marrying two Siſters: who coming with 60 (ſome write 40) ſhips, out of *Flanders*, forced Taxes and Tribute out of the Iſle of *VVight*, took booties and Mariners to ſerve in his Navy on the Sea-

Sea coasts of *Kent*, whence, he hoising sail, fell foul on *Lincolnshire*, where *Morcar* and *Edwin*, Earls of *Chester* and *Yorkeshire* incountring him with their forces by Land, and *Harolds* Navy by Sea, with some loss of their men, routed, and drove him from thence into *Scotland*. Where after some stay *Harold Harfager*, King of *Denmark*, after his conquest of the *Orcades*, by *Tosti* his solicitation came into the River of *Tine* with 300. (others write 500) ships, where they both united their forces, intending to subdue and conquer *England*: then landing their Souldiers in *Northumberland*, they wasted and spoiled the Country where ever they came. Whereupon Earl *Morcar*, and Earl *Edwin*, with the inhabitants of the Country, raised all the forces they could against them, and giving them battel in a tumultuous manner, were routed by them, many of them being slain in the field, and the rest inforced to fly into *York* for shelter, which the Enemies besieging, was presently surrendred up to them, and hostages delivered them after the slaughter of many Citizens, Nobles, and Clergy-men. Upon this King *Harold* recollecting his disbanded Army and Navy, marched with all speed towards *York* against the *Danes*, *Norwegoans*, and his brother *Tosti*, but coming to *Hamford* Bridge, one valiant *Dane*, with his Battle Axe slew 40 of his men, and made good the Bridge against the whole Army, for a long space, till at last some going under the Bridge in a Boat, slew him with a spear. Both Armies joyning battel, after a long and bloudy fight, *Harfager* and *Tosti*, with may other of Note were slain, their whole Army routed, all their Ships taken, with the loss of many of the bravest English Souldiers, and 20 of their Ships only permitted to depart into *Denmark*, with their wounded men, and *Olaus Harfagers* Son, who to save his life, took an Oath, *never from thence forth to attempt any hostility or invasion against the* English. (*b*) This victory *Abbot Ailred* a-

[*b*] *De Vita & Miraculis Edwardi Confessoris*, scribes

ascribes to the merits of *Edward* the Confessor, who promised *to be the Captain and Protector of the English Nation, against those Enemies who invaded the Realm contrary to right and Law, and promised them the victory over them*: But *Harold*, ascribing it to his own valour, instead of rewarding his Souldiers with the spoils of the vanquished enemies, as the price of their bloud, out of a base unworthy avarice, *converted all the spoils and booty to his own private use, giving no part of them to any other: Wherewith many of the Nobles and common Souldiers were so incensed, that detesting the covetousness of their Prince*, they unanimously departed from his service, and refused to march with him against the *Normans*. This triumphant victory so puffed up *Harold*, *that he thought himself secure in the Throne, beyond the fear or reach of any adversity, and instead of a King became a TYRANT.*

Whilst *Harold* with all his Land and Sea forces were thus busied in the North of *England*, Duke *William* in *August* assembled all his Land Army and Navy, consisting of 900 ships, at the Port of S. *Valerie*, to invade *England* in the South, then wholly destitute of all Guards by Land, and Navy by Sea, to resist his landing. *And to satisfie his Souldiers, and all others of the justice of his undertaking,* (*i*) *he alleged these three causes thereof*, which *Henry de Knyghton* devides into four.

[*i*] *Hen. Huntind in Hist. l. 6. p. 367. Polychron. l. 6. c. 29. Chron. Io. Brompt. col. 958. Hen. de Knyghton, de Eventibus Angliæ, l. 1. c. 16. Speeds History, p. 442. Fox Acts and Monuments, Vol. 1. p. 215. Cambdens Britannia, p. 149. Sir John Haywood.*

'The first was, to revenge the cruel murther of his 'Cousin Prince *Alfred*, King *Edmunds* brother, and 'of the *Normans* who came with him to assist him to re- 'cover the Crown of *England*, to which he was right 'heir, whom *Godwin* and his Sons had shamefully dis- 'honoured, treacherously betrayed, and barbarously 'murdered; which fact he ascribed principally to 'Harold.

'The second was, because *Godwin* and his Sons by 'their cunning, had injuriously banished *Robert* Arch- 'bishop of *Canterbury*, Earl *Odo*, and all the *French* and

Normans

'*Normans* out of *England*, which wrong he would revenge on *Harold*, as done principally by his means and labour.

The third and chief ground was; becauſe *Harold* 'falling headlong into perjury, had without any right 'uſurped the Crown and Realm of *England*, which of 'due belonged unto him, both by right of Kinred to, 'and gift by King *Edward* his Nephew, and by *Harolds* 'own ſolemn Oath and promiſe, made to him in *Nor-* '*mandy*, to preſerve the Kingdom for his uſe after 'King *Edwards* death without children, according to 'King *Edwards* command.

While *Duke William* with his ſhips and Army lay many days together at S. *Valerie*, expecting a fair gale for *England*, the winds being croſs (*k*) *many of the common ſouldiers there lying in Tents, thus muttered one to another: That the man was mad who would by force invade and make another mans Country and Realm his own; That God did fight againſt them in withdrawing the winds: That his Father attempted the ſame thing in the ſame manner, and was hindered and inhibited therein. That it was fatal to his family, that aſpiring to things above their power, they ſhould find God oppoſite to them. Theſe ſpeeches bruted abroad, which might enfeeble the ſtrength, and abate the courage even of valiant men*; The Duke thereupon taking Counſel with his Senators, cauſed the Corps of St. *Valerie* to be brought forth to procure a wind; & preſently a proſperous gale filling their ſayles, the Duke himſelf firſt took ſhip, and launched forth, and all the reſt after him, then caſting Anchor till the Fleet came round about him, they all ſailing with a gentle courſe landed at *Haſtings* and *Pevemſy*. The Duke ſtepping forth of the ſhip upon the ſhore, one of his feet ſlipped, ſo that he fell down into the mud, one of his hands being filled with ſand, which he interpreted as an *ill omen*, and *ſiniſter event*. But one of his Souldiers who ſtood next him, lifting him up from his fall, whiles

[*k*] *Malmsbury de Geſtis Regum, l. 3. p. 100.*

[*l*] *Mat. weſtminſt. p. 435. Mat. Paris Hiſt. Angl. p. 2. Henry de Knyghton Event. Angl. l. 2. c. 1. Fabian part 6. c. 217. Grafton, Hollinſh. Speed, Caxton, Haywood, and others.*

whiles he held the mud in his hand, changed this event into a better interpretation, saying; *Most happy Duke, thou already possessest* England *and plowest it up; Behold the land is in thy hand, Lift up thy self with good hope, thou shalt be King of* England *ere long.*

m. Malmsb. de Gest. Reg. l. 3. p. 100. Fabian, part 6. c. 217. and others.

No sooner was the Army landed, (*m*) *but the King strictly charged them to forbear plundering, and take no booties, seeing they ought to spare the things that should be his own, nor to wrong any of their persons, who should ere long become his Subjects.* (n) *Richard Vestegan* records out of a *French* Historian, that Duke *William* the same day he landed in *England*, caused divers of his chief Officers and Friends to dine with him, and chancing at dinner to talk of an Astrologer, who by the conjunction of the Planets, had assured him at St. *Valerie*, *That* Harold *should never withstand him, but submit himself unto him, and yeeld him faith and homage*; willed now that the said Astrologer should be brought unto him, whom he had caused to be imbarqued for that voyage: But it was told him, that the Ship wherein the said Astrologer sailed, was cast away at Sea, and he drowned in it. Whereunto the Duke replyed; *That man was not wise, who had more regard to the good or ill fortune of another, than unto his own. I am now, thanks be to God, come over, I know not how the rest will succeed.* How false this Star-gazers prediction proved, the sequel will manifest.

(n) *Restitution of decayed Antiquities, p. 137 Propos. 1, 2, 3.*

[o] *Malmsb. Mat. Paris, Wigorn. Hoveden, Bromton, Hygden, Fabian, Knyghton, Walsingham, Holinsh. Speed, Daniel & others.*

(*o*) Duke *William* after his arrival, rested quietly 15. days without acting any thing, as if he minded nothing less than war. After which to cut off all occasion or hopes of return from his Souldiers, he fired all his ships, or (as some write) drew them all a shore and intrenched them, as others: erecting only a Castle on the shore for a retiring place for his Souldiers, if need were. From *Pevensy* he marched to *Hastings*, where he built another Fort. (*p*) *Henry de Knyghton* records, that the first night he lodged in *England* in his Pavilli-

[p] *De Event. Angl. l. 2. c. 1.*

on.

on, there came a voice unto him, saying: *William, William, be thou a good man, because thou shalt obtain the Crown of the Realm, and shalt be King of England; and when thou shalt vanquish the enemy, cause a Church to be built in the same place in my name, so many hundred foot in length, as in number of years the seed of thy blood shall possess the Government of the Realm of England, and reign in England*, an 150. years. But (q) *Matthew Westminster* writes, this voice was after the battel with *Harold*, not before it, and the subsequent words in *Knyghton*, (touching his march to *London*,) import as much.

[b] *Flores Hist. p.* 439, 440.

(r) *Harold* residing in the North after his great victory there, when he deemed all his Enemies totally broken in pieces, received certain intelligence, that Duke *William* was safely arived at *Pevensey* with his Fleet, and an innnwerable company of valiant Horsemen, Slingers, Archers, and Footmen, whom he had hired out of all *France*. Whereupon he presently marched with his army in great haste towards *London*; and although he well knew, *that most of the valiant men in all* England *were slain in the two late Battels against* Tosti *and the* Danes; *that many of the Nobility and Common Souldiers had quite deserted him, refusing to march with him, in that necessity, because he permitted them not to share with him in the great booties they had won with their blood; and that half his Army were not come together, yet he resolved forthwith to march into* Sussex *against the Enemy and fight them, with those small forces tired he then had, being most of them Mercenaries and Stipendiaries, except those English Noblemen, Gentlemen and Freemen, who enflamed with* the love and liberty of their Native Country, *voluntarily engaged themselves with him in the defence thereof, against the common, dangerous, invading Enemy, rather than to support his usurped Diadem* and Royalty over them: of which number there were very few. (f) *Immo vero pauci, et manu promptissimi fuere, qui charitati corporum renunciantes pro patria animas*

[r] *Malmsbur. Huntindon, Hoveden, Wigorn. Sim. Dunelm. Mat. Paris, Mat. Westminst. VValsingham, Radulphus de Diceto, Knyghton, Polychron. Bromton, Fabian, Caxton, Grafton, Holinshed, Speed, Daniel, Baker, Sir John Hayward.*

[f] *Malmsb. De Gestis Reg. l.* 2. *p.* 94. *l.* 3. *p.* 100. *See Matt. Westm. p.* 435. *Fabian, part* 6. *c.* 277. *Sir Io. Hayward in Will.* 1.

poſuerunt. *Nam præter Stipendiarios et Mercinarios milites, paucos admodum ex comprovincialibus habuit. Præcipitabant eum nimium fata, ut nec auxilia convocari vellet; nec ſi vellet, multos parituros invenerat. Ita* omnes ei erant infenſi, *quod ſolus manubiis Borealibus incubuerat: Unde cum ſuis quos ductabat aſtutia* Guliel-mi *circumventus, fuſus eſt levi videlicet belli negotio, ſed occulto et ſtupendo Dei* conſilio, *quod nunquam poſtea Angli* Communi prælio in libertatem ſpiraverint, *quaſi cum* Haraldo *omne robur deciderit* Angliæ, *quæ certe* potuit et debuit (etiam per inertiſſimos) ſolvere pœnas perfidiæ. Yet (*t*) *Thomas of Walſingham* and ſome others write, that *Harold had gathered together an innumerable company of Engliſhmen againſt* Duke William; *and the multitudes* of the Nobility, Gentry, and Commons of *England* ſlain in the Battel, beſides thoſe who fled from it, and could not come to fight; manifeſt *his Army not to be ſo ſmall*, as theſe Authors would make it, (*u*) *only to augment the Engliſhmens valour, and ecclipſe the Normans*, as overcomming them more by ſtratagem and multitude than true fortitude. Whiles *Harold* was in his march towards *William* within 9 miles of his Fort in *Suſſex*, *he ſent out Scouts before him, to diſcover the forces and numbers of the Enemy*, who being intercepted and brought to *William*, he cauſed them to be led about his tents, that they might well view his Army, and then being bountifully feaſted, he commanded them to be ſent back to their Maſter without any harm. Who returning to *Harold*, commending the Dukes magnificence, martial proweſs and clemency, ſeriouſly affirmed, that all his Souldiers ſeemed to be Prieſts, becauſe their faces and both their lips were ſhaven; which kind of ſhaving none of the Engliſh then uſed, but their Prieſts only. Upon which *Harold* ſmiling at the Scouts ſimplicity; replied, *They were not effeminate Prieſts, but Souldiers of great and valourous minds, invincible in arms.* Whereupon (*x*) *Girth, Harolds*

[*t*] *Ypodigma Neuſtria, p.* 28.

[*u*] *See Malmsde Geſtis Reg. Angl. l.* 2. *p.* 94.

[*x*] *Mat. weſt. p.* 436. *Malmsbury de Geſtis Reg. l.* 3. *p.* 100. *Mat. Paris Hiſt. Angl. p.* 3. *Holinſhed, Speed, Sir John Hayward and others.*

rolds younger Brother, a man of great knowledge and valour beyond his years, taking the Speech out of his mouth, ſaid; *Seeing you commend the valour of the* Normans *to be ſo great, I hold it unadviſed raſhneſſe for you to fight with them, to whom you may be reputed inferiour, both in merit and valour. Neither are you able to gainſay, but that you took an Oath to* William (*to reſerve the Crown to his uſe*) *voluntarily or unvoluntarily. Wherefore you ſhall doe more adviſedly to withdraw your ſelf out of the field in this inſtant neceſſity*, ne ſi perjurus decertans, vel fugam vel mortem incurras, *leſt fighting perjured, you incurre either flight or death, and the whole Army periſh for your ſin of Perjury, ſeeing there is no fighting againſt God. Therefore expect the iſſue of the battel without danger: For we are altogether free from any Oath,* juſtum ſuſcipimus bellum pro Patria pugnaturi, *and have undertaken a juſt warr, to fight for our Country. If we fight alone without thee, thy cauſe ſhall proſper better, and thou ſhalt be more ſafe, whatever befalls us; For if we fly, thou maiſt be able to ſuccour and reſtore us; and if we be ſlain, thou maiſt revenge us.* But ſuch was *Harolds* unbridled raſhneſs, that he would not give a pleaſing ear to this admonition, eſteeming it inglorious, and a great diſhonour to his former life and valour, to turn his back to any Enemy or danger. *Nota.*

Whiles theſe diſcourſes paſſed between them: in comes a *Monk* ſent by Duke *William*, *claiming the kingdom as his*, Becauſe King Edward had granted it to him *by advice of Archbiſhop* Stigand, and of the Earls *Godwin* and *Siward*, and had ſent the Son and Nephew of *Godwin hoſtages thereof into Normandy*. But to avoid effuſion of Chriſtian bloud, the Monk brought him theſe three profers. *Either to depart with the Realm to* William, *according to his Oath and agreement. Or, to hold the Kingdom from, and reign under him. Or finally to determine the controverſie between them two by a ſin-*

gle Duel, in the view of both their Armies. But *Harold* out of a ſtrange imprudence, impudence & pride of heart, as one whom the heavens would depreſſe, accepting neither domeſtick counſel, nor the *Normans* offer, would neither vouchſafe to look upon the Meſſenger with a good countenance, nor diſcourſe with him in milde terms, but ſending him away with indignation, prayed only thus, *That God would judge between him and his Maſter* William. To whom the Monk boldly replying; required, *that if he would deny the right of* William, *he ſhould either referr it to the Judgement of the See Apoſtolick, or elſe to battel, if he had rather; by which he aſſerted, that* William *was ready to trie his Title.* But *Harold* anſwering nothing to thoſe his Propoſals, but what he had done before, went within little of laying violent hands upon the Embaſſador, commanding *William* with violent terms and menaces to depart his kingdom. By which he whetted the minds of the *Normans* to fight, and gave them hopes of Victory by his Injuſtice. After which both Armies provided to give battel the next morning, being *Harolds* birth-day, 4 October 1066. his Souldiers (as men whoſe Heads were ſure to be crowned with lawrels of Victory) ſpent the whole night in licentious revels, riot, drunkenneſſe, clamours, ſhouts; but the *Normans* more Chriſtianly and ſeriouſly demeaning themſelves, ſpent it in confeſſions of their ſins, prayers, and Vowes to God for victorious ſucceſſe. No ſooner did the morning appear, but the *Norman* Army was prepared for battel. Then (y) *Duke William* making an elegant oration to them, minded them, of *the extraordinary valour, the manifold victories and conqueſts of their anceſtors and themſelves, which he exhorted them now to ſecond*, concluding his Speech with this exhortation, *To avenge the injury of* Harold, *and the treachery of him and the Engliſh in murdering* Prince Alfred, *and the Noble* Normans *who accompanyed him.* Nonne pudet Regem *Haroldum*, con-

(y) *Hen. Huntindon Hiſt. l. 3. p. 368. Chron. Iohan: Bromton col. 959, 966.*

tra

tra me in præſentia veſtri perjuram factem ſuam vobis oſtendere auſum fuiſſe? Mihi tamen ſtupor eſt, Quod vos qui parentes veſtros, cum Alfrido cognato meo proditione nefanda excapitaverunt, oculis veſtris vidiſtis; et eorum capita adhuc humeris eorum ſuperſint. Erigite vexilla viri, nec ſit iræ promeritæ modus vel modeſtia. Ab oriente ad occidente videatur fulmen gloriæ veſtræ, audiatur tonitrum impetus veſtri, Ultoresque generoſiſſimi ſanguinis. At which words all the *Normans* were ſo incenſed againſt the *Engliſh*, that they left their Duke alone ſpeaking to himſelf, before he had ended his Speech; and preſently charged the Engliſh with unſpeakable violence, before the third part of their army could be ſet in battel array (as *Wigornienſis*, *Sim. Dunelmenſis*, *Radulphus de Diceto*, *Hoveden*, *Bromton*, and others write.) One *Tailleſer*, running before the reſt, ſlew three Engliſh Enſigns one after another, and then was ſlain himſelf, before the reſt of the Souldiers encountred. The Engliſh, by reaſon of the narrowneſſe of the place, were unable to bring up above one third part of their men to fight in an orderly manner; For which cauſe, and out of hatred to *Harold*, many of them deſerted both the field and him, *and very few continued with him with a conſtant heart.* Yet the battel was ſo manfully fought by *Harold*, and the Engliſh remaining with him, with various ſucceſſe (ſometimes one ſide prevailing, ſometimes the other) that it continued from the third hour of the day, even till dark night. The Engliſh ſtood ſo thick and cloſe together, and fought ſo valiantly, that the *Norman* aſſailants could no waies break their array, and were upon the point to recoyl: Which *William* perceiving, politickly ſounded a Retreat; the *Normans* retiring in good order, the *Engliſh* ſuppoſing them to flie, and themſelves to be Maſters of the field, thereupon began diſorderly to purſue them, breaking their ranks and files; but on a ſudden the *Normans* having their wiſhed opportunity

charged them afresh, being scattered and disordered, so as they were not able to recover their battel, and so were beaten down and slain on every side; none of them by flight seeking to escape the field, *but to maintain their honour in arms, chusing rather manfully to dye fighting in the cause and defence of their Country, than to forsake their Kings Standard.* Who performing the Office both of an expert Commander and valiant Souldier all the day, after many wounds received, and fighting very manfully was at last slain with an arrow, shot through his brain in at his left eye, and falling dead from his horse to the ground, was slain under his own Standard, (when he had reigned only 9. Moneths and 5. dayes;) and his two Brothers, *Girth* and *Leofwin*, with most of the English Nobility & Gentry there present were slain together with him. Upon *Harolds* death, most of the common mercenary Souldiers fled, being without that head for whom they fought, and were pursued and slain by the *Normans* till night, (x) *Sed generosi malentes mori quam probrose fugere, videntes exhaeredationem suam imminere et jugum intolerabile, donec nox certamen divideret, in certamine immota pectora praebentes prestiterunt, pulchram mortem pro patria ultione meruere.* (a) *Some* of our Historians write, *that there were slain of the* English *in this battel no lesse than sixty thousand nine hundred twenty four men*; which could not be, if *Harolds* Army were so small, as some report it; the *Normans* losing not above six thousand in the fight. (b) *Eadmerus*, *Roger de Hoveden*, *Simeon Dunelmensis*, *Radulphus de Diceto*, *Bromton*, and others, ascribe this Victory only to a divine Miracle, and Gods Justice upon *Harold* for his detestable perjury, from the Testimony of the French who were present in it. *De hoc prelio testantur adhuc Franci qui interfuerunt, quoniam licet varius casus hinc inde extiterit, tamen tanta strages et fuga* Normannorum *fuit, ut victoria, quâ potiti sunt, vero et absq; dubio soli miracu-*

[x] *Mat. Wist. p. 438, 439. Malmsbury, de Gestis Regum, l. 3. p. 101.*

[a] *Speed, Hey-lyns Microcosm.*

[b] *Hist. Normorum, l. 1. p. 5, 6.*

miraculo Dei *aſcribenda ſit*, qui puniendo, per hanc iniquum perjurii ſcelus Haroldi, *oſtendit, ſe non dominium eſſe volentem iniquitatem.* Which (*c*) *Abbot Ailred* thus ſeconds. *Gulielmus* Dei judicio (to which *Harold* appealed) *ipſum* Haroldum Regno ſimul et vita privavit, for invading the Crown againſt right and his Oath, belonging to *William, jure conſanguinitatis & antiquæ inter ipſum et* Edwardum *conventionis.* The moſt of our Hiſtorians do the like. (*d*) *Thomas of Walſingham*, imputes the great ſlaughter of the Engliſh in this battel by the *Normans*, as a juſt Judgement of God upon them for their treacherous murder of Prince *Alfred* and the *Normans* that came with him. *Referuntur illo conflictu pugnæ multa millia Anglorum corruiſſe, Chriſto illis vicem reddente* ob Aluredi *fratris* Edwardi *Regis* necem, ab eis injuſte perpetratus: With whom Mr. (*e*) *John Fox* concurrs in his forecited paſſage; and Duke *Williams* Speech to his Souldiers before the battel implies as much, he making it the chief ground of his invading *England.*

This battel, writes (*f*) *Abbot Ailred*, Angliæ Libertati finem dedit, initium Servituti: to which (*g*) *Malmsbury* ſubjoyns. *Illa dies fuit fatalis Anglis, funeſtum excidium dulcis patriæ, pro novorum dominorum commutatione.* (*h*) *Hanc autem regni ſubverſionem, & ſanguinis redundantis effuſionem, cometa ingens & ſanguinea atque crinita, in exordio illius anni apparens, minaci fulgore præſignavit, unde quidam:*

Anno milleſimo ſexageno quoque ſeno
Anglorum meta flammas ſenſere Cometa.

Quod Regni mutationem magnam, populi *Stragem, & multam terræ miſeriam portendit. Ut enim Philoſophi dicunt, quo dirigit crinem, illic diriget et diſcrimen*; as

[*c*] *De Geneal. Reg. Angl. col.* 367, 368. & *De Vita & Miraculis Edwardi Confeſſoris, col.* 977.

(*d*) *Ypodigma Neuſtriæ, p.*28.

[*e*] *Acts and Monuments, vol.*1. *p.*215. *here p.* 254.

[*f*] *De Vita & Miraculis Edwardi Confeſſoris, col.* 401.

[*g*] *De Geſtis Reg. l.*3. *p.*101.

[*h*] *Ingulphi Hiſt. p.* 900. *Mat. Weſtminſt. Mat. Paris, p.*4. *Wigorn. p.* 428. *Hoveden, p.*447 448. *Sim. Dunelm. col.* 193. *Radulphus de Diceto Abbrev. Chron. Col.* 479. *Knyghton De Event. Angliæ, l.* 1. *c.* 15. *Polychron. l.*6. *c.*28. *Walſingham Ypodigma, p.*28. *Fabian, Caxton, Grafton, Holinſhed, Speed, Stow, Baker, Sir John Hayward.*

Abbot

Abbot Ingulphus, Mat. Weſtminſter, Matthew Paris, Huntindon, Hoveden, Wigornienſis, Simeon Dunelmenſis, Hygden, Knyghton and others obſerve.

In this Battel Duke *William* had three Horſes ſlain under him, and often acknowledged, that Gods divine hand did more *protect him, than mans, ſeeing his Enemy, amidſt ſo many ſhowers of darts and arrows which they ſhot againſt him, could not draw ſo much as one drop of his bloud, though they frequently hit him with them.*

(i) *Malmsb. de Geſt is Regum, l.3.p.100, 101. Cambden, Speed, Daniel, Fabian, part. 6. c.217. Sir Io. Hayward in William the 1.*

(i) *Mercar* and *Edwin* Earls of *Yorkeſhire* and *Cheſhire*, *Harolds* Brother-in-laws, withdrawing themſelves and their forces from their battel, (either for want of room to fight, as was pretended, or rather for former diſcontents) retreated to *London*: where conſulting with *Alfred* Archbiſhop of *York*, and other Peers, and with the Citizens and Mariners of *London*, they all reſolved to crown and ſet up Edgar Atheling the true heir, for their King: *promiſing, to march under him with all their forces againſt Duke* William, *and to try another field; for which end they poſted abroad Meſſengers to levy new forces, and raiſe up the hearts of the dejected Engliſh from a deſpairing fear.* But before *Edgars* Coronation, whiles many were preparing themſelves for a new battel, *Mercar* and *Edwyn* (whom this fearful eſtate of their native Country would not diſſwade or reſtrain from diſloyalty and ambition, to gain the Crown to themſelves, (as ſome record) ſecretly hindered that noble and prudent deſign, by withdrawing themſelves from *Edgar*, and marched home with all their forces and their Siſter *Algitha*, or *Agatha*, (*Harolds* wife) into *Northumberland*; conjecturing out of their ſimplicity, that Duke *William* would never come ſo farr. Upon their departure, though the reſt of the Nobles would ſtill have elected and crowned *Edgar* King, if *the Biſhops would have aſſented thereunto*; yet the Prelates, ſtruck with the fear of the Popes thunderbolt from abroad, and with the conſideration of the

the diviſions, diſtractions of the Nobility and people, and the imminent danger at home, *would no wayes concurr with the Nobles, Londoners, Sea-Captains and others, to crown* Edgar, *but reſolved to go forth and ſubmit themſelves to the victorious Duke, and elect and crown him for their Soveraign.* (*k*) The Nobility diſcerning this wavering inconſtancy of the Biſhops; and conſidering, that they were nobly born, and muſt have a King; that not to take him (who was of power to make himſelf King) would ſhew more of paſſion than diſcretion, diſtruſting each others faith, began to ſtrive and runn headlong, who ſhould be the firſt to preoccupate the Grace of Servitude, and intrude them into forein ſubjection. The Commons (like a ſtrong Veſſel, that might have been for good uſe) were hereby left without a ſtern, and could not move irregularly without apparent ſhipwrack. So that all eſtates in generall, either tranſported with ſordid fear, or corrupted with new hopes, forſook *Edgar*, themſelves, and their diſtreſſed Country, reſolving all to become *Williams* ſworn Vaſſals, without any further conteſt. (*l*) *Ita Angli qui in unam coeuntes ſententiam potuiſſent Patriæ reformare ruinam, dum nullum ex ſuis volebant, induxerunt alienum.*

[*k*] *Daniels Hiſtory.*

[*l*] *De Geſtis Reg. l.3. p.102.*

During this their Conſultation at *London*, (*m*) Duke *William* after his victory marched with his army through *Oxfordſhire*, *Buckinghamſhire* and *Hartfordſhire*, towards *London*, ſo farr as *Berkhamſted*, without the leaſt oppoſition; waſting the *Country*, *burning the Villages*, *and ſlaying the people* (as *Hoveden*, *Cambden*, and others write) *notwithſtanding his former inhibition of plunder*, *to force them more readily to ſubmit unto him.* Hereupon *Aldred* Archbiſhop of *York*, *Wulſtane* Biſhop of *Worceſter*, *Walter* Biſhop of *Hereford*, yea Prince *Edgar* himſelf, all the Engliſh Nobility, the chiefeſt of the *Londoners*, and many others repaired to the victorious Duke at *Berkhamſteed*; where giving him

[*m*] *Marianus, Wigornienſis, Hoveden, Sim. Dunelm. Speed, Holinſhed, Daniel, Cambden, and others. Fabian, part. 6. c. 217. Sir John Hayward in Will. the 1.*

him hostages for their fidelity, *they resigned themselves up unto him as his subjects, and swore allegiance to him*: with whom he reciprocally made a Covenant of Peace; *& nihilominus exercitui suo villas cremare, & rapinas agere permisit*, adds *Hoveden*. When the feast of Christs Nativity approached, Duke *William* resolved to march to *London*, with all his Army, and there to be crowned King; (*n*) but being on his way, he found all the passages blocked up with many great trees, which *Frederick* Abbot of St. *Albans* (descended from the Saxons noble bloud) had caused to be cut down and cast in the waies, to secure his Monastery from the destruction of the *Normans*; whereat the Duke both wondering and fretting, sent for the Abbot, under assurance of his safe return; and demanding the cause, *Why his woods were thus felled, and the wayes blocked up?* he returned him this stout answer: *I have done* (saith he) *both the duty of my birth and profession; and if others of my rank had performed the like,* (*as they well might and ought to doe*) *it had not been in thy power to have pierced the land thus farr.* William hearing his bold answer, and knowing it was now a fitter time to pacifie, than exulcerate the English Spirits, gave way to the present necessity, and marched to *London* with his Army; where he was joyfully received, *by the Prelates, Nobles, and Generality of the People*, and by them all elected and crowned King on the day of Christs Nativity, Anno 1066. (*o*) *In magna exultatione* a Clero et Populo susceptus, et ab omnibus Rex acclamatus. (*p*) *Thomas of Walsingham* records, that *Williams* Vantguard marching into *London* before him, *found many Rebels against him in the streets of the City, with whom they encountring forthwith, brought no small grief and lamentation to the City, by reason of the many funerals of the Citizens and their Sons whom they slew. At last, the Citizens perceiving they could no longer resist them, put in hostages, subjecting themselves with all theirs to their Conqueror and Hereditary*

(*a*) *Mat. Paris, in the life of Abbot Frederick, Speeds History, p. 436. Iohn Stow, Sir Iohn Hayward, in William the 1.*

(*n*) *Matthew Westm. p. 44. Mat. Paris, p. 3, 4. Malmsb. de Gestis Reg. l. 3. p. 102. Bromton, Knyghton, Grafton, Speed, Daniel and others.*

(*p*) *Ypodigma Neustriæ, p. 28.*

Hereditary Lord. After which (writes he) the *Duke on Christmas day* was elected King by all the Nobles, as well of the Normans as English, *and anoynted with sacred oyl, and crowned with the royal Crown by the Bishops of the Realm at* Westminster; He receiving the Crown from the hands of *Aldred* Archbishop of *York*, refusing to be crowned by *Stigand* Archbishop of *Canterbury*, by reason of the *many evils and horrible crimes reported of him, and because he had unlawfully invaded that See, during the life of* Robert, *for which he was suspended by the Pope*: ne maledictionem videretur induere pro benedictione, as most of our Historians accord: though the [r] Chronicle of *Bromton*, and [s] *Mat. Parker* assert, that *Stigand* peremptorily refused to crown him, being a man of bloud, and an invader of anothers right. *Cumque* Willielmus Dux Normanniæ, *Conquestor* Angliæ Tyranni nomen erhorresceret, et nomen Legitimi Principis induere vellet, à Stigando Cantuariensi Archiepiscopo *in regno petiit consecrari. Ille vero, ut quidam dicunt*, cruenti viro, et alieni Juris invasori, *manus imponere formidans nullatenus adquievit. Unde licet ipse* Willielmus *eundem* Stigandum *ut noverat multis modis blandè honoravit, ipsum tamen nunquam cordialiter amavit.*

[q] *Eadmerus, Hist. Novorum, l. 1. p. 6. Malmsb. Mat. Paris, Mat. westm. Wigorn. Sim. Dunelm. Radul. de Diceto, Hoveden, Bromton, Knyghton, Hygden, Mat. Parker, Godwin, & Gervasius Dorobern. in the lives of Stigand, and Alfred, Chron. Will. Thorne, col. 1792.*

[r] *Chron. Io. Bromton, col. 962.*

[s] *Mat. Parker, antiq. Eccles. Brit. p. 89, 90.*

[t] *Thomas Sprot*, *William Thorne*, and out of them [u] *Matthew Parker*, [x] Mr. *Lambard*, [y] Mr. *Cambden*, [z] *Godwin*, *Stow*, and [a] *Speed* record this Story, which none of our other antient Historians mention, That after Duke *William* had slain *Harold*, and the City of *London* with the generality of *England* had submitted to his power, being struck with the fear and terror of *Harolds* death, and the Englishmens great slaughter) except *Kent* alone; *William* marched with his forces towards *Dover Castle*, (the lock and key of the Realm) the better to command the Seas, and awe the Kentishmen, to subject it, and the other parts of the County to his power. Archbishop *Stigand* then lying

[t] *Chronica Will. Thorne, col. 1786.*

[u] *Antiq. Eccles. Brit. p. 89, 90.*

[x] *Perambulation of Kent.*

[y] *Britannia, p. 325.*

[z] *Catalogue of Bishops, p 28*

[a] *History, p 437, 438. Sir John Hayward in Will.*

lying cloſe in that County, either to renew the warr, or to obtain more honourable and juſt conditions of ſubjection for his Kentiſhmen than any others, effected for his Kentiſh people that which none in his Country did beſides. For perſwading all his Kentiſh men to keep at home, and not ſtirr out of their confines, when he heard of *Williams* approach, adviſing with *Egleſine* Abbot of *St. Auguſtines* (they two being the chiefeſt Lords and Governours of *Kent*) and the principal men of Kent; they conſidered, that the whole Realm was in a very ſad and ill condition; for whereas before the comming of the ſaid *William*, *none of the Engliſh was a Servant, that now all indifferently, as well Noble as Ignoble, were ſubjected to the perpetual Servitude of the Normans.* And out of the dangers of their neighbours, aſſuming matter for their own and their Counties preſervation, they aſſembled all the Commons of *Kent* to *Canterbury*; where they repreſented to them, *the imminent dangers of the Country, the miſery of their neighbours, the inſolency of the Normans, and the calamity of a ſervile condition*; *all which now were too apparently ſeen.* The Engliſh till then were free-born, and the name of bondage never heard among them, *and they amongſt the reſt*; *but now nothing but ſervitude attended them, in caſe they unworthily yielded* (*as others had done*) *to the inſolency of this griping Enemy.* Whereupon by *common advice*, all the people decreed and declared to meet Duke *William*, et cum eo pro Patriis Legibus certare; and to fight *with him for the Lawes of their Country*; *chuſing rather to end an unhappy life by fighting for them in the field, than to undergoe the unaccuſtomed yoak of bondage*, or to be reduced from their accuſtomed liberty to an unknown and unſure Slavery. The Archbiſhop and Abbot chuſing rather to die in battel, than to behold the miſeries of their Nation, after the example of the holy *Maccabees*, became the Captains of the Kentiſh Army, *reſolving to die* in defence of their Country.

Propoſit. 3,5.

Country and Laws, whereupon they all reſolved to meet together at *Swanſcomb*, (two miles from *Graveſend*) at a ſet time. Where aſſembling accordingly, they ſecretly kept together in the woods, watching the Dukes approach, all joyntly agreeing to block up his paſſage on all ſides, and to ſurround the Duke and his Army on a ſudden, that they might not eſcape them, every one of the Horſe and Footmen carrying a green bough in his hand, that they might not be diſcovered, and wherewith, if need were, they might impeach and hedge up the *Normans* paſſage. The Duke marching the next day through the fields near *Swanſcomb*, the whole multitude of the Kentiſhmen, like a moveable wood, ſurrounded him, approaching nearer and nearer to him with a ſoft pace. Which ſtratagem ſo daunted the *Duke*, even with the very ſight of their approach, (who being, as he thought, free from all Enemies, was now ſuddenly beſet on all ſides with theſe moving woods) that he knew not but all the other vaſt woods he ſaw, might be of the like nature; neither had he time to avoid the danger. The Kentiſhmen having thus encloſed him round about, caſting down their boughs, bended their bowes, drew out their ſwords, ſhaked their pikes, held forth their other arms, diſplayed their banners, and ſounded their trumpets in token of battel. The Duke and his Army being herewith aſtoniſhed, (though ſo puffed up with their former late victory, that they had even now, to their ſeeming, the whole Realm of *England* in their hand) were ſo extraordinarily terrified herewith, that they ſtood in danger not only of the loſſe of the Victory and Army, but he even of his own life. Whereupon he deſired a parley with the Kentiſh before the battel was joyned. Upon this *Stigand* and *Egelſine*, their Generals, were ſent Embaſſadors to the *Duke*, on the behalf of the reſt, who ſpake thus to him in their Kentiſhmens names.

Moſt Noble Duke, behold the people of Kent, *are*

come forth to meet thee as thy friends, and are ready to receive and obey thee as their Liege Lord, if thou shalt grant their most just requests, demanding only such things as make for peace, and such as only tend to retain the Liberty received from their Ancestors, and preserve the Laws and Customs of their Country. Neither will they be reduced under Bondage never yet felt by them, nor tolerate any new Lawes; *For they can bear* Royal Authority, but not Lordly Tyranny. *Wherefore receive the* Kentishmen, *not as thy Servants, but as thy loyal, loving and affectionate Subjects. Yet upon this condition*, That all the People of Kent may for ever enjoy their antient Liberty, without diminution, and use the Laws and Liberties of their Country. *But if thou endeavourest* to take away their Liberty, and the Immunity of their Laws, thou shalt likewise take away their Lives together with them: *they being all ready at present to give thee and thine battel, and to try the uncertain chance of Warr; Being fully resolved* rather to die in the field, than in any sort to depart with their Countries Laws and Customs, or to live under strange Laws or servile Bondage; the name and nature whereof is and ever shall be strange unto us. *For although the rest of the English* can submit themselves to Slavery, yet Liberty is the proper badge of Kentish men.

The *Duke* astonished with this Oration and his new troubles, with a perplexed troubled mind, advised hereupon with his Counsellors; and wisely considering, that the event of the battel would be very doubtfull, that if he should depart without accomplishing his designe, or if he should suffer any repulse or inconvenience from this warlike people, that it would not onely redound to his great infamy, but that it would endanger the loss of his new-acquired kingdom; undo whatever he had hitherto effected, and turn all his hopes and security into danger, if he should not joyne *Kent*, the key

key of the whole Realm to the reſt of the Kingdom, and retain it more by friendſhip and compact, (thus offered to him) than by force. And conſidering likewiſe that their demands were not unreaſonable; he thereupon, not ſo willingly as wiſely, rather out of neceſſity, than voluntarily, granted to the Kentiſh men, **that they ſhould live freely according to their antient Laws and Cuſtomes.** Whereupon there being a League made between *William* and the *Kentiſhmen*, and Hoſtages given on both ſides for performance of it, they thereupon laid down their arms, and the joyful Kentiſh men conducted the joyous *Normans* to *Rocheſter*, where they reſigned up to *Duke William* both the County of *Kent*, and noble Caſtle of *Dover*. And thus the antient Liberty, Laws, Uſage, and Cuſtom of the Engliſh (called *Gavelkind* in the municipal Engliſh Laws) which was frequently and equally uſed throughout the whole Realm of *England*, before the comming of *Duke William*, afterward taken from others, continued more inviolable even till theſe our dayes in *Kent* alone, by the induſtry, courage, interceſſion and earneſt vehemency of *Stigand* and *Egelſine*. Which thing is ſufficiently proved out of antient Writings concerning the cuſtoms of *Kent*, wherein it is thus recorded, *Dicit Comitatus, quod in Comitatu iſto de jure debet de ejuſmodi gravamine eſſe liber; quia dicit, quod Comitatus iſte, ut reſiduum Angliæ* **nunquam fuit Conqueſtus**, *ſed per pacem factam ſe reddidit Conqueſtoris dominationi* **ſalvis ſibi omnibus Libertatibus ſuis, et liberis conſuetudinibus primo habitis et uſitatis.** And from this valour and proweſſe of the *Kentiſhmen* in ſtanding thus manfully for the Laws, Cuſtoms and Liberties of their Country both againſt *Duke William*, and the *Danes* before him, when as the other Engliſh baſely ſubmitted their necks to their Vaſſalage, they (*b*) *firſt obtained, and for many years after claimed, enjoyed this ſpecial privilege,* **That in all Armies and Battaliaes of the** Engliſh, **they had**

(*b*) *Cambdens Britannia, p. 324. Iohn Salisbury in his Polycraticon.*

had the honour of the Van, and foreward, and were worthily placed in the front, in all conflicts with the Enemy; they above all other Englishmen, retaining still the badges of their antient worthinesse and Liberty.

Duke William having thus rather reconciled, than subdued *Kent* to himself (of which he was most careful, because therin were the most commodious Ports for any to pass into or out of the Realm) hasted to *London* to his Coronation; (which *Matthew Parker*, *Godwin*, and others, make subsequent to his Agreement with the *Kentish* men, though *Speed* erroneously makes it precedent) where he conceived so profound a displeasure against *Archbishop Stigand*, for his forecited Speech and Stratagem to preserve the Liberties, Laws and Customs of his Kentishmen, that he would not suffer him to Crown him, according to the duty of his place, though he alleged other reasons for it, and never ceased his rancor towards him, till he had revenged it; (c) *first by carrying him over with him into Normandy soon after in the nature of a prisoner at large, under a pretext of honour: Next, by depriving him of his Archbishoprick, upon his return from thence; And finally, by shutting him up presently after a Prisoner in* Winchester *Castle, where he had scarce enough allowed him to keep life and soul together, and soon after there died of grief or famine.*

When Duke *William* was crowned at *Westminster* by Archbishop *Aldred*, before he set the Crown upon his head, he caused him before the altar of St. *Peter* in *Westminster*, to promise upon Oath in the presence of the Clergy, Nobles and people, *Se velle Sanctas Dei Ecclesias, ac Rectores earum defendere; necnon & cunctum populum sibi subjectum* Juste *& regali Providentia regere*; Rectam Legem statuere et tenere: Rapinas injustaque judicia penitus interdicere: as *Florentius Wigornienſis*, *Simeon Dunelmenſis*, *Roger de Hoveden*, and *Radulphus de Diceto*, record his Oath: Which the Chronicle of *Bromton*, col. 962. thus expresseth. *Ipsum Regem*

[c] *Mat. Paris, Mat. Westm. VVigornienſis, Huntindon, Hoveden, Malmsb. De Gestis Reg. & de Vitis Pontificum in Stigando, Sim. Dunelmenſis, Bromton, Hygden, Chronicon VVill. Thoine,* col. 1787. *Hen. de Knyghton, de Eventibus Angliæ, l.2.c.8. Matthew Parker, and Godwin in his life. Sir John Hayward in VVilt.* 1. *Propoſit.* 1, 2, 4, 5.

Regem Willielmum *ad Jura Eccleſiæ Anglicanæ tuenda et confirmanda, populumque ſuum* recte *regendum* et leges rectas ſtatuendum *Sacramento ſolemniter aſtrixit.* Which *John Speed* thus renders in Engliſh, *At his Coronation he took a corporal Oath, before the High Altar, according to the accuſtomed form. To defend the holy Church of God and the Rectors of the ſame. To govern the univerſal people ſubject to him* juſtly; to eſtabliſh equal Laws, and to ſee them duly executed as became a good King. After which Oath taken, the *Biſhops and Barons of the Realm there publikely made him homage, and took an Oath to him, to be his true and loyal Subjects. Thus* (writes (d) *Matthew Weſtminſter,*) *the Kingdom of the Engliſh was tranſlated to the Dominion of the Normans by the moſt orderly diſpoſition of God, who diſpoſeth and diſſipateth Kingdoms, and diſappointing the Councils of Princes, gives them to whom he will, and ſo long as he pleaſeth, neither is there any that can ſay, why doſt thou thus?*

[d] *Flores Hiſt.* p. 440.

What the chief Sins of the Engliſhmen then were, which brought them under the *Norman* yoak, I have mentioned in part; take this addition to them, out of the Chronicle of *Bromton*, col. 961, 962. *Cur autem tanto furore Dei Juſtitia in Anglos exarſit, cauſa, ut creditur hæc eſt. In primitiva Anglia Eccleſia Religio clariſſime ſplenduit, &c. Proceſſu vero temporis adeo omnis virtus in eis emarcuit,* ut gentem nullam in proditione et nequitia ſibi parem eſſe permitterent. *Immiſit ergo Dominus omnipotens, velut examina apum, Gentes crudeliſſimas, qua ab initio* Ethelwolfi *Regis, uſque adventum* Normannorum *per CCXXX. annos* Terram jugiter, protriverunt, et potiſſimum Normanni, quando omnes fere Angli (ut inferius aliqualiter patebit) in ſervitutem ſunt redacti, et approbrium erat Anglicus appellari: To whom I ſhall ſubjoyn this paſſage of [e] *William of Malmsbury* more fully ſetting out the Sins and Vices of the generality of the Engliſh in that

(e) *De Geſtis Regum, l. 3. p. 101, 102.*

age, which brought Gods judgements on them, and enslaved them to the *Normans* by one single battel. *Illa fuit dies fatalis Anglis funestum, excidium dulcis patriæ, pro novorum dominorum commutatione. Jam enim pridem moribus Anglorum insueverat, qui varii admodum pro temporibus fuere. Nam primis adventus sui annis vultu & gestu barbarico, usu bellico, ritu fanatico vivebant: Sed postmodum Christi fide susceptâ, paulatim & per incrementa temporis, pro ocio quod altitabant exercitium armorum in secundis ponentes, omnem in religione operam insumpsere. Taceo de pauperibus quos fortunæ tenuitas plerumque continet, ne cancellos justitiæ transgrediantur: pratermitto graduum Ecclesiasticorum viros, quos nonnunquam professionis contuitu, sed & infamiæ metus à vero deviare non sinit. De Regibus dico, qui pro amplitudine suæ potestatis licenter indulgere voluntatibus possent: quorum quidam in patria, quidam Roma, mutato habitu cœleste lucrati sunt regnum, beatum nacti commercium. Multi specie tenus tota vita mundum amplexi, ut thesauros egenis effunderent, Monasteriis dividerent. Quid dicam de tot Episcopis, Hermitis, Abbatibus: nonne tota Insula indigenarum tantis reliquiis fulgurat, ut vix aliquem vicum insignem pratereas, ubi novi Sancti nomen non audias? quam multorum etiam periit memoria, proscriptorum inopia. Veruntamen literarum et religionis studia ætate procedente absoleverunt, non paucis ante adventum* Normannorum *annis. Clerici literaturæ tumultuaria contenti, vix Sacramentorum verba balbutiebant: stupori et miraculo erat cæteris, qui grammaticam noscet. Monachi subtilibus indumentis et indifferenti genere ciborum regulam indicabant. Optimates et gulæ & veneri dediti Ecclesiam more christiano mane non adibant, sed in cubiculo, et inter uxorios amplexus, matutinorum solemnia et Missarum a festinante presbytero auribus tantum libabant. Vulgus in medio expositum, præda erat potentioribus, ut vel eorum substantiis exhaustis, vel etiam corporibus in longinquas*

terras

terras distractis acervos thesaurorum congererent, quamvis magis ingenitum sit illi genti commessationibus, quam operibus inhiare. Illud erat a natura abhorrens, quod multi ancillas suas ex se gravidas, ubi libidini satisfecissent, aut ad publicum prostibulum, aut ad aeternum obsequium vendicabant. Potabatur in commune ab omnibus, in hoc studio noctes perinde ut dies perpetuantibus, parvis & abjectis domibus totas sumptus absumebant: Francis & Normannis *absimiles, qui amplis & superbis edificiis modicas expensas agunt. Sequebantur vitia ebrietatis soria, qua virorum animos effeminant. Hinc factum est, ut magis temeritate et furore praecipiti, quam scientia militari* Willielmo *congressi, uno praelio, & ipso perfacili, servituti se patriamq; pessundederint. Ad summam, tunc erant Angli vestibus ad medium genu expediti, crines tonsi, barbas rasi, armillis aureis brachia onerati, picturatis stigmatibus, cutem insigniti: in cibis urgentes crapulum, in potibus irritantes vomicam. Et haec quidē extrema victoribus suis participarunt, de caeteris in eorum mores transeuntes. Sed haec mala de omnibus generaliter Anglis dicta intelligi nolim. Scio clericos multos tunc temporis simplici via semitam sanctitatis trivisse; Scio multos Laicos omnis generis & conditionis in hac eadem gente Deo placuisse: faceſſat ab hac relatione invidia, non cunctos pariter hac involvat calumnia. Verum sicut in tranquillitate malos cum bonis fovet plerumque Dei serenitas, ita in captivitate bonos cum malis nonnunquam ejusdem constringit severitas.*

I have insisted more largely upon the Historical part of *Harolds* usurpation, perjury, short and troublesom reign, tragical death, Duke *Williams* claims to, and manner of acquiring the Crown of *England*, for this reason especially; To refute the common received Error of some ignorant Historians, of many illiterate *Scotists* and Swordmen of this age, and of sundry temporizing *Ignoramusses* of my own robe; who publickly averr in their *Pamphlets, Speeches, Charges*, and *Discourses*; that *Duke William* claimed and *obtained the*

Crown of England only as a Conqueror; and thereupon altered the antient Laws, Customs of the Realm, and gave New Laws unto it by his own absolute power, as a Conqueror thereof. Upon which false Ground they inferre; That those in late and present Power, coming in by the *same Title of Conquest, may lawfully give new Laws to, & impose what Taxes, Government they please upon the English* (as well as *Scotish* and *Irish*) *as a meer conquered Nation, by their own inherent authority*; seeing *by the* * *Laws of Warr, regularly all Rights and Laws of the place and Nation conquered* be wholly subject to the Conquerors will. And hereby they justifie all their late Impositions, Taxes, Excises, Sequestration, Seisures, Sales of all the publike revenues of the Nation, and many thousand private mens Estates, by their *Westminster*, and *White-Hall* Ordinances, Edicts, with the changes of our Government, new-modellings of our Parliaments; and all other irregular proceedings, destructive to our Fundamental Rights, Laws, Liberties, Government, (which they formerly covenanted inviolably to maintain) without grant or consent, by any free, full, lawfull *English Parliaments*. Now to demolish all these their superstructures, by subverting their false Foundation of D. *Williams* pretended Title to the Crown of *England* only by Conquest; It is most apparent by the premised Historical Authorities.

* *See Grotius, De Iure Bell, l. 3. c. 4, 5, 6, 7, 15.*

1. That King *William* alwayes claimed the Crown of *England*, both before, at, and after his Coronation, as *of right belonging to him*, by the promise, gift, contract, gift and bequest of *Edward the Confessor*, and as his heir and next kinsman by the Mothers side.

2. That he alleged, this gift and grant of the Crown to him, to be made with the consent of the Archbishops of *Canterbury*, Earls *Godwin*, *Syward*, and other Nobles of the Realm; ratified by special Messengers sent unto, and Hostages delivered him for its performance, and by *Harolds* own solemn agreement and Oath, sent

to,

to him by King *Edward* for that purpoſe, as himſelf at leaſt ſuggeſted to him: which deſignation and grant of King *Edward* to *William*, was no fiction; but a truth confeſſed by all our Hiſtorians, and *Harold* himſelf, who by his anſwers never denyed, but only endeavoured to evade it, and voluntarily acknowledged by all the Nobles of *England*, both at his Coronation, and in Parliament it ſelf in the 4. year of his reign.

3. That after King *Edwards* deceaſe, divers of the Nobles would have elected *William* King, in purſuance hereof, but that *Harold* perjuriouſly uſurped the Crown by meer force and power, without the leaſt right unto it, or any election by the Lords or people; ſetting the Crown on his own head the very day King *Edward* was interred, and thereby prevented *Williams* election to it.

4. That hereupon divers of the Nobles, Prelates, and other Engliſh, ſent private Meſſengers to *William* into *Normandy* to come and demand his right to the Crown, as due unto him; promiſing hoſtages and their aſſiſtance to recover it.

5. That thereupon he ſent Embaſſadors twice or thrice to *Harold*, one after another, before his landing, inſiſting on his meer right and Title to the Crown, to gain it by parly without effuſion of bloud.

6. That upon *Harolds* obſtinacy, he appealed to the Pope, and to all his Nobles aſſembled in a Parliamentary Council, for the juſtice of his Title and Right to the Crown, who *declared his Title Lawfull* and Juſt; and thereupon encouraged, aſſiſted him all they could to regain it by force of arms from the Uſurper *Harold*, who would not otherwiſe depart from it.

7. That immediately after his landing he made claim unto it only by the foreſaid Right, Title, and thereupon *prohibited his Souldiers to plunder the Country or hurt any of the Inhabitants, as being his by right.*

8. That very few of the Engliſh Nobility or Nati-

on, would march or engage with *Harold*, against *William*, and sundry withdrew themselves from the battel, as conscious of *Harolds* usurpation, perjury, and *Williams* just cause against him, (however other causes were then pretended) and amongst the rest, his own Brother-in-laws, the greatest Peers of the Realm, Earl *Mercar* and *Edwin*, deserted him in the fight.

9. That after the first battel won and *Harold* slain, all the Prelates and *Clergy* generally (except *Abbot Frederick*) appeared for him, and would not consent to set up *Edgar*, though right heir.

10. That after good deliberation, all the Nobles, Prelates, *Londoners*, and others who first appeared for *Edgar*, with the greatest part of the Clergy, people of the English Nation, without the least fight or resistance, or before any siege or summons from him, together with Prince *Edgar* himself, voluntarily went out, and submitted themselves, sware faith and allegeance to him as their Soveraign, at *Berkhamsted*, and after that joyfully received him with highest acclamations as their lawfull King, at his entry into *London*.

11. That all the Prelates, Clergy and Nobility soon after, without any coercion, upon his foresaid right and Title, freely elected, and solemnly crowned him as their lawfull *King*, *in a due and accustomed* manner, and then did Homage, and swore new Allegiance afresh unto him, as their rightful Soveraign.

12. That he took the Ordinary Coronation Oath of all lawfull Kings; to maintain and defend the rights, persons of all his people, to govern them justly, &c. as became a good King; which a King claiming by meer conquest, would never do.

All these particulars are undeniable Evidences, that Duke *William* never made the least pretence, claim, or title to the Crown and Realm of *England*, only as an *absolute Conqueror* of the Nation, but meerly by Title, as their true and lawfull King, by designation, adoption,

doption, and cognation, ſeconded with the Nobles, Prelates, Clergy, and peoples unanimous election: And although it be true, that this Duke ejected *Harold* and got actual poſſeſſion of the Throne and Kingdom from him by the ſword, as did *Aurelius Ambroſius* and others before, and King *Henry* the 4. *Edward* the 4. *Henry* the 7. with others ſince his reign; yet that neither did, nor could make him, *a King by conqueſt only*, no more than theſe other Princes, ſeeing the end of this warr was not againſt the whole *Engliſh* Nation, the greateſt part whereof ſecretly abbetted his intereſt; but only againſt the unjuſt *Uſurper* and *Intruder* King *Harold*, and his adherents; not to create a Title to the Realm, by his and their Conqueſt, but to remove a Uſurper, who invaded it without and againſt all right, and to gain the actual poſſeſſion thereof by arms, from which he was unjuſtly withheld by force, againſt thoſe pretended lawfull Titles which he made. So that he got not the Right, Title, but only the actual poſſeſſion of the Crown by his Sword, not as a univerſal Conqueror of the Realm without right or Title, but as if he had been immediate heir, and lawfull Succeſſour to the *Confeſſor*, who deſigned him to ſucceed him. For fuller confirmation whereof, I ſhall here ſubjoin theſe enſuing proofs.

1. King *William* himſelf at his very Coronation in *London* (as Mr *Cambden* informs us) ſaid; *That the kingdom was by Gods providence appointed, and by vertue of a gift from his Lord and Coſen King* Edward *the glorious, granted unto him; and that this moſt bounteous King* Edward *had by adoption ordained him his heir in the kingdom of* England. (e) *Britannia in Engliſh, p.* 145.

2ly, In his (f) *Charter* to the Church of *Weſtminſter*, he reſolves as much in direct terms, where he recites, *In ore gladii Regnum adeptus ſum* Anglorum, *deviĉto* Haroldo *rege Cum ſuis complicibus, qui mihi of his Regnum cum providentia Dei deſtinatum, & beneficio concesſionis* (f) *In Inſpex. par.* 7, 1 E. 4. *membr.* 26. *Mr. Seldens Review his Hiſtory of Tithes, p.* 483.

concessionis Domini & Cognati mei, gloriosi Edwardi CONCESSUM, *conati sunt auferre, &c.* So that his Title was from *Edward*, though his possession by the sword.

(g) *Spelmanni Concil. p.619.*

3ly. In the very (g) Title of his Laws, (published in the 4th year of his reign, (which he was so far from altering, *that he both by Oath and Act of Parliament, ratified, confirmed all the Laws and Customs of the Realm used in the Confessors time and before, presented by a Grand Enquest unto him out of every County of* England *upon Oath, without any alteration, prævarication, or diminution*) he stiles himself, (or is stiled by the Collector of these Laws) HEIR AND COSEN TO *Edward* the *Confessor*, even in the ancient Manuscript which Sir *Henry Spelman* hath published *Incipiunt Leges S.* Edwardi *Regis, quas in* Anglia *tenuit; & quas* WILLIELMUS HÆRES *& cognatus suus* POSTEA CONFIRMAVIT. To which I shall likewise subjoyn the words of the Charter of his Sonn (b) *King Henry* the 1, *Anno* 1108. translating the Abbey of *Ely* into a *Bishopriek*, wherein he gives his Father *William* the self-same Title. *Ego Henricus providente divina clementia Rex Anglorum & Normannorum Dux*, Willielmi *magni Regis filius*, QUI EDWARDO REGI HÆREDITARIO JURE SUCCESCIT IN REGNUM: renouncing all Title by conquest, and claiming only as *Heir to King* Edward *by Hereditary right*.

* *Hoveden, p. 601.*

[b] *I. Seldeni ad Eadmerum Notæ, p.211.*

4ly. Earl *William* himself in none of his Charters, Writs, Speeches, Writings, ever stiled himself a *Conqueror of England*, nor laid claim to the Crown and Realm of *England* by Conquest, after his inauguration; which Title of *Conqueror* was afterwards (out of the flattery or ignorance of the times) given unto him by others. Therefore the words which the (i) *History of St. Stephens* in *Caen* in *Normandy*, reports he used at his last breath: The *Regal Diadem which none of my Predecessors ever wore, I got and gained by the Grace of God only*

[i] *Cambdens Britannia, p. 145. Speeds History, p. 448, 449.*

only. I ordain no man heir of the Kingdom of England, (which all our Hiſtorians unanimouſly contradict, affirming, that he ordained *William Rufus* his ſecond ſon particularly to ſucceed him in it, at his death, upon which Title only he enjoyed it) *but I commend the ſame to the eternal Creator, whoſe I am, in whoſe hands are all things. For I became not poſſeſſor of ſo great honour by any hereditary right, but by an humble conflict, and with much effuſion of blood I took it from* **the perjured King** Harold, *and after I had either ſlain or put to flight his favourits and Servants, I ſubdued the kingdom to my ſelf*, muſt either be reputed falſe and fabulous, as moſt eſteem them; or elſe have this conſtruction, that he gained the actuall poſſeſſion of it againſt *Harold*, and his adherents only by the Sword, and that he had not an hereditary right thereto, as next heir by deſcent to the Crown, but only by adoption from, and as heir by donation to King *Edward*; as next of kin by the Mothers ſide; which he made his only Title.

5ly. Thoſe antient *Engliſh* Hiſtorians, who firſt gave him the name of *Conquerour*, did it not in a ſtrict proper ſence, as if he were a meer univerſal Conquerour of the Nation, diſpoſing of all mens Eſtates, perſons, and the Laws of the Realm at his pleaſure, for that he never did: but only as one who gained the actual poſſeſſion thereof from a perjured Uſurper and his forces by ſtrength of arms, conquering them by open battel in the field; but ſtill claiming it by gift, contract, and deſignation from King *Edward*, as his Kinſman; as an heir who forcibly outs a diſſeiſor and intruder, comes in by Title and Inheritance only, though he gains the poſſeſſion by force. This is evident by the forecited words of (*k*) *Mathew Paris*, and this paſſage of *Henry de Knyghton* (not extant in *Hygden*, out of whom he ſeems to tranſcribe it.) *Et ſic quia Normannus* **Jure hæreditatis** *tenuit* Normanniæ *Ducatum, ideo Dux*, **Regnum vero Angliæ mero Con-**

[*k*] *Here p.* 342

[*l*] *De Event. Angl. l.* 2. *c.* 2. *col.* 2343.

questu, (in respect of actual possession) **et clameo subscripto,** (in respect of Title, & by claim by gift from King *Edward*) **Ideo Rex**: which claim and Title being backed by the unanimous election of the Prelates, Clergy, Nobility, People, and right heir to the Crown himself, (who all submitted and sware homage, fealty, and allegiance to him as their lawfull King) infallibly demonstrate him to be no Conquerour in respect of Title, in a strict, legal military sense, even in the judgement of those antient and modern Historians, who give him that Title, but only in regard of *Harold* and his party, and the actual possession which he got by conquest. And in this sense alone is that Distick in the [m] Chronicle of *Bromton* to be understood.

[m] *Col.* 962.

Dux Normannorum Willielmus vi validorum
Rex erit Anglorum, Bello Conquestor eorum.

6ly. Our Great Antiquary *Richard Vestegan* in his *Restitutions of decayed Antiquities*, learned Mr. *John Selden* in his *Review of the Hist. of Tithes* p. 482,483. Sir *John Hayward* in the life of King *William* the first, Mr. *Nathaniel Bacon, in his first part of his Historical Discourse, of the uniformity of the Government of England*, chap. 44, 45, 46, 55, 56. (to omit others) most fully prove and assert; *That the entry of* William *the first into the royal Government of* England, *neither was nor properly could be by Conquest, but by Title, and by* the free election of the Nobles, Clergy, and People. *That although the several Titles he Pretended were perhaps, if curiously examined, not sufficient to give him a true, legal Title and Right to the Crown of* England, à parte ante, *because not agreed unto and confirmed by the general consent of the Nobles, Kingdom, and Nation in a Parliamentary Great Council; but only by the King, and some particular Prelates and Nobles out of Parliament* (as *Harold* in his answers alleged) *yet being ratified,* ex parte

post

poſt, *both by the ſubſequent conſent, agreement, ſubmiſſion, election, Oath, homage, and fealty of all the people, Nobles, Clergy, by their legal free crowning of him at firſt, by* Edgar Atheling *his own ſubmiſſion, fealty, and reſignation of his royal right and Title thereby unto him, and ratified by ſucceeding Parliamentary Councils, it became an indubitable Right and Title, both in Law and Juſtice, to him and his Poſterity, againſt all others, who could lay no legaller Title thereunto: he continuing, confirming all the antient fundamental Laws, Liberties, Cuſtoms, and Government of the Engliſh Nation, without any alteration, both by Oaths and Edicts.* I ſhal therefore conclude this point with the words of (n) *Shard* (a learned Lawyer in King *Edward* the third his reign;) who when the Kings Counſel in a *Quo Warranto* againſt the Abbot of *Peterborough*, would have made a Charter of king *Edgar* void, *becauſe they alleged* **all Franchiſes were devolved to the Crown by the Conqueſt**; replyed thereto, *The Conqueror came not at all to put any who had lawfull poſſeſſion out of their rights; but to diſpoſſeſs thoſe* **who by their wrong had ſeiſed upon any land in diſinheriſon of the King and his Crown**, And with the words of our judicious Hiſtorian *Sa. Daniel* (o) concerning this king *William. Neither did he ever claim any power* **by conqueſt**, *but as a regular Prince ſubmitted himſelf to the orders of the Kingdom: deſiring to have his Teſtamentary Title, (howſoever weak) to make good his ſucceſſion, rather than his ſword.* "*And though the ſtile of* **Conqueror**, *by the flattery of the time was after given him, he ſhewed by all the courſe of his Government he aſſumed it not: introducing none of thoſe Alterations (which followed) by violence, but by a mild gathering upon the diſpoſition of the State, and the occaſions offered; and that by way of reformation.*

(n) *In Itinere Temps. E. 3. f. 143. Mr. Seldens Review p. 483.*

(o) *In the life of William the firſt, p. 36, 37.*

And although * Sir *Hen. Wotton* gives this verdict of them. *We do commonly and juſtly ſtile him* **the Conqueror**: *For he made a general conqueſt of the whole*

* *Reliquiæ Wottonianæ, p. 149, 150, 152, 153.*

Kingdom and People, either by Compoſition or Armes, &c. Yet he addes, *He was Crowned on* Chriſtmas day, 1066. *at which time he would fain have compounded* a Civil Title of, *I know not what* Alliance *or* Adoption, *or rather* Donation *from* Edward *the* Confeſſor. *As if hereditarie kingdoms did paſs like Newyears gifts.* The truth is, he was the heir of his Sword. *Yet from theſe pretences howſoever, there ſprang this good, That he was thereby in a ſort ingaged to caſt his Government into a middle or mixed nature, as it were,* between a lawfull ſucceſſor, and an Invader: *though generally (as all new Empires do ſavour much of their beginning) it had more of the* Violent *than of the Legal.*

If any domineering Souldiers, or others, upon this falſe ſurmiſe, of *Duke Williams* right to the *Crown* and *Realm* of *England* **by meer conqueſt**, ſhall henceforth preſume to claim and exerciſe a meer arbitrary, abſolute, tyrannical and deſpotical power over our Engliſh Nation, Laws, Liberties, Parliaments, Eſtates, Perſons, as over a meer conquered Nation, againſt all Commiſſions, Truſts, Oaths, Engagements, Declarations, and the rules both of Law and War it ſelf, being raiſed, waged, commiſſioned only to defend and preſerve us from conqueſt by the oppoſite party, Let them know, that they are far greater, worſer Enemies to their own Native Country, than this *Norman Duke*, or any of our former *Britiſh*, *Saxon*, *Daniſh*, *Norman* or *Engliſh* Kings; who never claimed the Crown by meer conqueſt in any age, but only by ſome real or pretended Title of Inheritance; or at leaſt by a free and general election both of the Nobility, Clergy, and people, as this King *William* did.

From the former Hiſtorical Paſſages concerning *Harold*, *Toſti*, Duke *William*, and the Kentiſhmen, I ſhall deduce theſe legal Obſervations.

Propoſit. 1. 1. That no Tax, Subſidie, or Impoſition whatſoever could in that age be impoſed on the *Engliſh* or *Norman* Sub-

Subjects by their Kings or *Dukes*, but by their common consent, in their Parliamentary Councils; where they were denied, when inconvenient to the publike; as well as granted, when convenient.

2. That no *English* or *Norman* Subjects were then obliged to aid and assist their Soveraigns, with their persons, arms, estates, or subsidies granted, in any forein invasive war, but only left free to contribute what private assistance they thought fit in such cases. *Propoſit.* 3.

3. That no publike wars in that age were ever undertaken, but by common advice and consent in great Parliamentary Councils. *Propoſit.* 9.

4. That the Kings of *England* in that age, however they came to the Crown, by right or wrong, held it both their bounden duty, interest, safety, to defend and preserve the Laws, Rights, Liberties of the Church and people; to enact and maintain good Laws, and abolish all evill Laws, Rapines, Exactions, Tributes, and to govern them justly, according to their Coronation Oaths, and not arbitrarily or tyrannically according to their pleasures. *Propoſit.* 1, 2, 4.

5. That no Freemen in that age, could be justly imprisoned, banished, or put to death, but for some hainous misdemeanors, and that by a legal trial and conviction. *Propoſit.* 2.

6. That the Subjects of *England* then held it their bounden duties, in times of forein invasion, to defend the Realm, their Lives, Liberties, Properties both by Land and Sea against forein Enemies; yet they held themselves dis-obliged, and were generally averse to defend the person or Title of any Usurper of the Crown, against any forein Prince, or other Person, who had a better right and title to it. *Propoſit.* 3, 8.

7. That our English Ancestors in that age, esteemed their hereditary Liberties, good antient Laws and Customs, more dear and pretious to them than their very lives, and would rather die fighting for

their Laws and Liberties like freemen, than live under slavery or bondage to any Soveraign whatsoever.

Propost. 10. 8. That the Kings of *England* in that age could neither give away, nor legally dispose of their Crowns, Kingdoms, or Crown Lands to others, without the privity and free consent of their Nobles, and Kingdom in general Parliamentary Council; as is evident by *Harolds* answers to *Williams* Embassadours; the recited passage of* *Matthew Paris* upon that occasion, and this of *Samuel Daniel*, p. 34. *So much was done either by King* Edward or Harold, (*though neither act, if any such were, was of power to prejudice the State, or alter the course of right succession*) *as gave the Duke a colour to claim the Crown by a donation made by Testament*: **which being against the Law and Custom of the Kingdom, could be of no validity at all.** *For the Crown of England, being held, not as* patrimonial, *but in* succession by remotion (*which is a succeeding to anothers place*) *it was not in the power of King* Edward *to collate the same by any dispositive and Testamentary Will, the right descending to the next of blood only, by the Laws and Customs of the Kingdom. For the successor is not said to be the Heir of the King, but of the Kingdom which makes him so, and cannot be put from it by any Act of his Predecessors.*

*Here p. 340.

* *See Rot. Parl. 39 H. 6. n. 10. to 16. 1 E. 4. n. 8. to 16.*

9. That the Nobilities, Clergies, and peoples free-Election, hath been usually most endeavoured and sought after by our Kings (especially* Intruders) as their best and surest Title.

* *See 1 R. 3. Rot. Parl. and Speed in his life.*

To these Legal I shall only subjoyn some Political and Theological Observations, naturally flowing from the premised Histories of King *Edward*, *Harold*, and *William*, not unsuitable to, nor unseasonable for the most serious thoughts, and saddest contemplations of the present age, considering the revolutions and postures of our publike affairs.

1. That it is very unsafe and perillous for Princes or

or States to intrust the Military and Civil power of the Realm in the hands of any one potent, ambitious, or covetous person who will be apt to abuse them to the peoples oppression, the kingdoms perturbation, and his Sovereigns affront or danger; as is evident by Earl *Godwin* and his Sons.

2. That devout, pious, soft-natured Princes are apteſt to be abuſed, and their people to be oppreſſed by evil Officers.

3. That it is very dangerous and pernicious to hereditary kingdoms, for their King to die without any certain, known, and declared right Heirs or Succeſſors to their Crowns, yea an occaſion of many wars and revolutions; as is evident by King *Edwards* death without iſſue, or declared right heir.

4. That right heirs to Crowns, who are of tender years, weak judgement, or impotent in Friends and Purſe, are eaſily and frequently put by their rights, by bold, active, and powerfull Intruders, as *Edgar Atheling* was both by *Haroid* and *William* ſucceſſively. Yet this is remarkable in both theſe Invaders of his royal Right. 1. That (*a*) *Harold*, who firſt dethroned him, to make him ſome kind of recompence, and pleaſe the Nobles of his party, *created* Edgar *Earl of Oxford, and held him in ſpecial favour.* 2ly. *That King* William *the firſt*, (*to whom b*) *he ſubmitted himſelf, and did homage and fealty*) *uſed him very honourably and entertained him in his Court, not only at firſt, but even after he had twice taken up armes againſt him* (*c*) *joyning firſt with the* Engliſh *Nobilitie, then with the* Danes *and* Scots *againſt his intereſt.* For *Edgar* coming to him into *Normandy*, Anno 1066. out of *Scotland*, where he lived ſome years, where *nihil ad præſens commodi, nihil ad futurum ſpei; præter quotidianam ſtipem nactus eſſet*: he not only pardoned his fore-paſt offen-

[a] *Speeds Hiſtory, Cambdens Britan. and others. Here p.349.*

[b] *Vvigorn. Sim. Dunelm. Bromt. Hoveden. An. 166. Here p. 369.*

[c] *Mat. Weſtminſter, Mat. Paris, p.6. Vvigornienſis, Huntindon, Hoveden, Simeon Dunelmenſis. Bromton, Malmsbur. Holinſh. Speed, Knyghton De Event. Angliæ l. 2. c. 3. col. 2350.*

ces

ces; *but magno donativo donatus est, pluribusque annis in Curia manens* **Libram Argenti quotidie in stipendio accipiebat**, writes (*d*) *Malmesb.* receiving a great donative from him, and a pound of silver for a stipend every day, and continuing many years in his Court. After which, Anno 1089. He went into (*e*) *Apulia* to the *Holy wars* by King *Williams* licence, *with 200 Souldiers, and many Ships; whence returning after the death of* Robert *son of* Godwin, *and the loss of his best Souldiers, he received many benefits from the Emperours both of* Greece *and* Germany, *who endeavoured to retain him in their Courts for the greatness of his birth: but he contemning all their proffers, out of a desire to enjoy his Native Country, returned into* England, *and there lived all Kings* Williams *reign.* (*f*) In the year 1091. *Wil. Rufus* going into *Normandy* to take it by force from his brother *Robert*, deprived *Edgar* of the honour *which his Brother* (with whom he sided) *had conferred upon him, and banished him out of* Normandy; whereupon he went into *Scotland*; where by his means a peace being made between *William Rufus* and *Malcholm* king of *Scots*, he was again reconciled to *Edgar* by Earl *Roberts* means, & returned into *England*, being in so great favour with the king, that in the [*g*] year 1097. *He sent him into Scotland* with an Army, *ut in ea consobrinum suum* Eadgarum Malcholmi *Regis filium*, (*patruo suo Dufenoldo, qui regnum invaserat expulso*) *Regem constitueret.* Whence returning into *England*, he lived there till after the reign of king *Henry* the first, betaking himself in his old age to a retired life in the Country, as (*h*) *Malmesbury* thus records; *Angliam rediit, ubi diverso fortuna ludibrio rotatus, nunc remotus & tacitus, canos suo in agro consumit.* Where most probably he died in peace, since I find no mention of his death: No less than 4 successive kings, permitting this right heir to their Crowns to live both in their Courts and Kingdom of *England* in peace and security (such was the

[*d*] *De Gestis Regum, l.3.p. 103.*

(*e*) *Malmsb. lb. p. 103. Sim. Dunelm. de Gestis Reg. Angl. col. 213. Chron. Iob. Bromt. col. 976.*

(*f*) *Florent. Wigornienfis, p. 456. Simeon Dunelm. De Gest. Reg. Anglor. col. 216, 217.*

[*g*] *Florent. Wigorn. p. 466. Sim. Dunelm. col. 223. Hoveden An. pars 1. p. 466.*

(*h*) *De Gest. Reg. l.3.p.103.*

the Chriſtian Generoſity, Charity, and Piety of that age) without reputing it *High Treaſon* for any to relieve or converſe with him, as the Charity of ſome Saints in this Iron age would have adjudged it, had they lived in thoſe times, who have quite forgotten this Goſpel Leſſon of our Savior they then practiſed: (*i*) *But I ſay unto you love your Enemies, do good to thoſe that hate you, &c. Wherefore if thine enemy hunger give him meat, if he thirſt, give him drink, &c. Be not overcome of evil, but overcome evil with goodneſs.*

[*i*] *Mat.* 5. 43. 44. 45. *Rom.* 12, 14, 20, 21.

5. That baſe carnal fears and cowardize, oft cauſe both Prelates, Nobles and People to deſert their own beſt intereſt, and lawfull Princes, and to act, vote, and ſubmit to meer unrighteous Uſurpers, againſt their primitive reſolutions, judgements, Conſciences; as here in the caſe of *Edgar*, and *Rich.* 3. ſince.

6. That Generals puffed up with victorious ſucceſſes, and having the command of the Land and Sea Forces in their power, are apt to aſpire after the royal Crown and Soveraignty, and forcibly to uſurp it upon the next occaſion, even with the diſinheriting of the right heir, and hazard of the whole Realm; of which *Harold* is a moſt pregnant example.

7. That ambitious aſpirers after the royal Crown and Throne, will make no conſcience to violate all ſacred and civil Oathes, Obligations, Contracts, and find out any evaſions to elude them, rather than goe without them, or part with them when injuriouſly uſurped by them; and will adventure to crown themſelves with their own hands, than not wear the Diadem: witneſſe *Harold*

8. That Uſurpers of Crowns without right, though they Court the people with Coronation Oaths and fair promiſes of good Laws, Liberty, Immunity from all Taxes and Grievances; yet uſually prove the greateſt Tyrants and Oppreſſors to them of all others; as *Harold*, and *William* in ſome ſort did.

9. That Invaders of Crowns and Soveraign power, without any right, title, or colour of Justice, being once in possession, will never part with them to those who have better right, upon any verbal Treaties, but rather adventure their lives, bodies, souls, and their whole kingdoms utter ruine, than part with their usurped Supremacy.

10. That the most unrighteous Usurpers of the royal Throne by apparent perjury, fraud, force, treachery, will feign, forge, publish some specious pretext or other of Title, or popular election, to palliate, or extenuate their intrusions; to avoid the infamy of Tyrants and Usurpers; and take off the *Odium* of their most unrighteous Intrusions; of which we see footsteps, both in *Harold*, *William* then, and *Rich.* 3. of late.

11. That unjust Invaders of Crowns for the most part bring many miseries, troubles, warrs, and ruins, not only on themselves and their posterities, but likewise on their Kingdoms and people; as *Harold* did.

12. That royal Usurpers when they are most successfull, insolent and secure (as *Harold* after his victory in the North) are neareſt greateſt dangers and ruine.

13. That such Usurpers are commonly very vigilant and industrious to preserve their own Interest and Power, under pretext of the common defence and safety of the Nation: yet more rely on their *Mercinary forces*, than the unmercinary Militia of the Nation.

14. That Usurpers, though they may have many Flatterers and seeming Friends, to write, and act for them whiles in prosperity; yet are commonly generally deserted both by Nobles, People, yea their own indeared Friends and kinred in their greateſt dangers, when they need them most; as *Harold* was.

15. That few English Nobles, Gentry or Commons, will readily adventure their Lives in a Vsurpers quarrel, when and where his Title stands in competition with a better and clearer right; as most of them deserted *Harold*.

16. That

16. That the reign of perjured Invaders of others Thrones, is commonly * very ſhort, full of Wars, Troubles, Fears, Jealouſies, and their ends, for the moſt part, bloudy, tragical; as was *Harolds*, and *Rich.* 3. * *Job* 20.4,5,6. *Pſal.*37.2.35, 36.

17. That the ſordid Covetouſneſſe of Kings and Generals in oppreſſing their people, and depriving their Subjects and Souldiers of their juſt and lawfull ſpoils after victory over the Enemies, is a ready means to alienate their affections, and cauſe a defection from them to their Oppoſites.

18. That when God hath deſigned a perjured Vſurpers or Nations ruine for their crying ſins, he ſuddenly ſtirs up unexpected Enemies and Inſtruments to effect, occaſions to facilitate it; and ſo infatuates them, that they become altogether uncapable of any good advice, and reject all Propoſitions and Accommodations, that might prevent the ſame; as *Harold* obſtinately did.

19. That none are more forward publikely to appeal to God himſelf, for to judge and decide the Juſtice of their cauſe and proceedings, than the moſt perjurious and unrighteous Vſurpers. That when ſuch preſumptuouſly and atheiſtically dare openly appeal to God himſelf for juſtice againſt their Oppoſites or Competitors, he uſually cuts them off by exemplary deaths and fatal Overthrows, as he did *Harold*; both to manifeſt his ſevere Juſtice and Indignation againſt ſuch Atheiſtical and hypocritical Apellants and Appeals; and to deterr all others from ſuch practices.

20. That all ſacred Oathes and ſworn Contracts ſolemnly made to others in things lawfull or indifferent, be it through fear, or voluntarily upon premeditation, ought religiouſly and inviolably to be obſerved, and not wilfully infringed, or eluded by ſhifts and pretences, as here, by *Harold*.

21. That God ſooner or later doth uſually avenge in an exemplary manner the perjurious wilfull breach of

solemn Oathes, even in Kings themselves and the greatest persons: whose detestable perjury oft brings sudden destruction both upon themselves, their kinred, Posterity, and whole Armies and Kingdoms too; as in the case of *Harold*.

22 That perjured persons fighting in a cause directly against their corporal Oaths, can expect no other successe in battel, but either flight, or death. And that one Battel may both lose and win a whole kingdom; so unstable are even kingdoms themselves.

23. That the barbarous murders, the cruel oppressions of Innocent people, are apt to stirr up a universal Insurrection against their Governors and Instruments; and usually end in the dethroning, expulsion, death and destruction of the Authors of them; of which *Tosti* yields us a notable president: And that people when once justly enraged against such bloudy tyrannical Oppressors, become altogether implacable, and will never brook their future Government over them.

24. That base carnal fears in times of imminent danger, usually dis-joynt, those persons, councels, forces whom the Common danger should more unite, and make them desert the probablest means of their publike preservation, liberty, peace, settlement, by setting up the Right heir of the Crown (as *Edgar* here) against the Intrusions and Pretences of all usurping Invaders of the Soveraign power.

25. That a few timorous Counsellors, Great Persons or Clergy-men, in times of danger, are apt to disappoint the magnanimous resolutions, and daunt the heroical Spirits of such who are most cordially affected both to their Native Countries Lawes, Liberties, and right heir to the Crown; and to draw them to unworthy compliances with them against both.

26. That stout resolute real Patrons of their Native Countries Laws and Liberties, will then appear most cordially zealous to protect, own, and fight for them, when

when they are in greateſt danger to be loſt, and moſt diſowned, deſerted, betrayed by other timorous and time-ſerving perſons: witneſſe the example of Abbot *Frederick*, *Stigand*, *Egelſine* and the *Kentiſh men*.

27. That true heroick Engliſh Freemen, preferr their old Native Liberties, Laws, Cuſtoms before their Lives; and would rather die fighting for them in the field, than depart with them upon any Terms to a victorious Soveraign; or ſubject themſelves to the leaſt publike Servitude, the name whereof hath been ever odious to them, much more the thing it ſelf.

28. That the beſt means to preſerve our publike Laws, Liberties, Cuſtoms againſt all Invaders of them, is manfully, reſolutely, and unanimouſly to ſtand up in their defence, both by words and deeds, when they are moſt indangered: That ſuch perſons, Counties, places who have appeared moſt ſtout and reſolute in their defence, when others have generally deſerted, ſurrendered or betrayed them; have thereby preſerved, ſecured, perpetuated them to themſelves and their poſterities, when all elſe have loſt and been deprived of them; yea gained immortal honour, and precedency of all others to boot: Witneſſe the *Kentiſh*-men.

29. That the Stouteſt Maintainers of their Countries Laws and Liberties are commonly moſt odious to, moſt injured, oppreſſed by tyrannical Soveraigns, though upon other pretences; witneſſe Archbiſhop *Stigand*, Abbot *Frederick*, and *Egelſine*. Yet this muſt not deterr them from their duties.

30. That no age or perſon ever yet reputed *Conqueſt a juſt, ſafe*, prudent Title or Pretext to the Crown of *England*, but ever diſclaimed it, as moſt abſurd and dangerous to their intereſts.

31. That the murdering, or diſinheriting of the right heir to the Crown, hath been the Principal occaſion and ground-work of all the great, ſad revolutions of Go-

vernment in this Island; and of the translations of the Crown and Kingdom from the* *Britons* to the *Saxons*; from the *Saxons* to the *Danes*, and since from both of them to the *Normans*, by the murther of Prince *Alfred*, and rejection of Prince *Edgar*:

*See part. 2. p. 29, to 38.

32. That when Treachery, Perjury, Oppression, Murder, Violence, and other sins forementioned have generally overspread the Kingdom, and infected all sorts and degrees of men, then National Judgments, Forein invasions, publike Revolutions of Governours and Government, yea all sorts of Calamities, Warrs, Troubles, may be justly feared, expected, inflicted, as the fruits, punishments of these epidemical crying Transgressions.

[p] *Prov.* 27. 24. *Dan.* 2. 21. c. 4. 25.

33. That [p] Crowns and Kingdoms have their Periods and Revolutions, as well as private possessions, Families, and that by the secret Justice, and wise disposing Providence of God; who disposeth, translateth, dissipateth, dissolveth Kingdoms at his pleasure, and giveth them to whomsoever he pleaseth.

[q] *Col.* 883.
[r] *Acts and Monuments, Vol.* 1. *p.* 148.

34. From the whole, we may observe, with the [q] *Chronicle of Bromton*, and [r] Mr. *Fox*, That as the *English-Saxons* had most unjustly, against their Oathes and Trusts, formerly subdued and expelled the *Britons* by the just judgement of God upon them for their sins, out of the possession of the Throne and Kingdom of *Britain*, by the power of the sword: so God himself, by divine retaliation, for the like Sinnes of the *English-Saxons*, after many years bloudy intestine warrs between themselves, (wherein many of their Kings, multitudes of their Nobles, and Millions of the Common Souldiers, and people were slain and lost their lives) first plagued, infested them for many years, and at last totally subdued, and dispossessed them of the Crown and Kingdom for some years space by the bloudy *Danes*, & after that subjected them to the *Normans* yoke, who possessed themselves of the Crown and

and Realm of *England* inſtrumentally by the Sword, and put by both the *Saxon* Invader *Harold* and his Poſterity, with *Edgar* the *Saxon* heir, in ſuch ſort as here you have read.

The Lord ſanctifie all theſe *Collections* and *Obſervations* to the greateſt publike good and ſettlement of our unſetled diſtracted *Engliſh Nation*, and the private benefit of all who ſhall peruſe them, that they may aim only * *at that kingdom which cannot be ſhaken, and that Crown of glory which fadeth not away*: not at temporal Crowns, and kingdoms, which are ſo fading, tranſitory, full of Thorns, Croſſes, Cares, Fears, Vexations, Tortures, Perils, Deaths. *FINIS.*

* Heb. 12. 28. 1 Pet. 1. 4. c. 5, 4.

Omiſſions and Erratаes.

Kinde Reader, I preſent thee with ſome Hiſtorical Paſſages, caſually omitted *in their due places; and ſuch Errors as have hapned at the Preſs, which I deſire thee to correct.*

PAge 10. line 8. One (a) *Thunder* malicioufly accuſed *Æthelbert*, and *Æthelred*, two kinſmen of *Egbert* King of *Kent*, educated and brought up in his Court, *that they intended ſome time or other to take away his kingdom from him*; and thereupon adviſed the King, *either to baniſh them both into ſome farr Country, or to deliver them unto him to deſtroy and murder*, without any legal Trial, or conviction of their guilt. Which *Thunder* often inſtigating the King to doe, and he but coldly prohibiting, or diſliking; thereupon *Thunder*, in the Kings abſence raſhly preſumed *ignominiouſly to murder them* in the Kings Palace, and then buried them under his Royal Chair, in a Village called *Eſtria*. The King returning to his Court, in the dead of the night there-

(a) *Mat. Weſtm. Anno* 654. *p.* 229, 230. *Anno* 654. Propoſit. 2, 6.

there appeared a bright pillar ſent from heaven, which filled his whole royal Palace with an unſpeakable brightneſſe: which the Kings ſervants beholding, were ſo terrified, that they fell down to the ground, and became almoſt diſtracted. The King being awaked, with the tumult of his Guard, and being ignorant of the cauſe thereof, aroſe, that he might go and hear Mattens as he was accuſtomed: And going out of his houſe, he ſaw the City ſhining with the beams of the new ſplendor. Upon which miſſing his Kinſmen, he ſent for *Thunder*, and demanded of him where they were? who anſwered him like *Cain*; *Am I thy Kinſmens keeper?* To which the King replied, *Thou haſt always ſiniſterly accuſed them unto me, and therefore, moſt wicked wretch, thou oughteſt to ſhew me where they are*: Whereupon he informed him of their murder and burial; whereat the King was very angry with him; But returning at laſt to himſelf, he refunded the Crime & whole wickedneſſe on himſelf, and being confounded beyond meaſure, ſpent the reſidue of the night in tears. When the day appeared, he ſent for the Archbiſhop *Adeo-datus*, et Magnates quos habere potuit convocari præcepit, *and cauſing the Nobles to be called together*, related the whole buſineſſe to them. The Archbiſhop gave counſel, that the bodies of theſe Innocents ſhould be removed to the Cathedral Church, and there interred in a royal manner. Thereupon putting their bodies with Saints reliques into Coffins and Carts, they intended to carry them to *Chriſts Church*, in *Canterbury*, but in vain, becauſe they could not ſtirre their corps, nor remove them out of the place, although they attempted it with much endeavour and force. Vpon this, changing their counſel, they intended to remove them to St. *Auguſtines Church*, neither yet could they effect it. At laſt they reſolved they ſhould be removed to the moſt famous Monaſtery of *Warmen*, upon which the Carts preſently removed with eaſe, as if they had

no

no burden; and they were buried by the *High Altar* in this Monaſtery.

(b) *Kinewalchus* King of the *Weſt-Saxons*, deceaſing Anno 672. *Regni arbitrium uxori* Sexburgæ *delegandum putavit: nec deerat mulieri ſpiritus ad obeunda regia munia: ipſa novos exercitus moliri, veteres tenere in officio, ipſa ſubjectos clementer moderari, hoſtibus minaciter infremere, prorſus omnia facere, ut nihil præter ſexum diſcerneres: Veruntamen plus quam animos fœmineos anhelantem vita deſtituit, vix annua poteſtate perfunctam.* When ſhe had reigned thus one year Indignantibus Regni Magnatibus (aſſembled moſt likely in a Parliamentary Council) expulſa eſt a Regno, nolentes ſub ſexu *Fœmineo militare*; The Nobles thereupon made *Eſchwin* King in her place, being Regali proſapia proximus, next of the royal bloud: *quo decedente vel morte ſua, vel vi aliena, vacantem aulam ſucceſſione legitima implevit* Kentianus; He being the next right heir.

Anno 672. (b) Malmſbury, de Geſtis Reg. l. 1. c. 2. p. 14. Mat. Weſt. An. 671. Propoſit. 6, 8, 10.

Page 24. l. 24. About the year 783. (c) *Kenulph King of Mercia*, Cum Epiſcopis, Ducibus, et omni ſub noſtra ditione dignitatis gradu, with the Biſhops, Dukes, and Nobles of every degree of Honor under his Dominion, (aſſembled in a Parliamentary Council) writ a Letter to Pope *Leo* the 3d. to reunite thoſe Biſhopricks to the Metropolitical See of *Canterbury*, which King *Offa*, (out of his hatred to Archbiſhop *Living*) had ſevered from it, and united to a new-erected *Archbiſhoprick* at *Licheſield*, alleging in the Letter; Viſum eſt cunctis gentis noſtræ Sapientibus, *quatenus in illa Civitate Metropolitanus honor haberetur ubi corpus beatæ recordationis* Auguſtini (*qui verbum Dei imperante beato* Gregorio, *Anglorum genti remonſtrabat, et glorioſiſſime* Eccleſiæ *præfuit Saxoniæ*) *panſat, qui his partibus fidei veritatem inſeruit.* This Letter, with Pope *Leo* his anſwer thereunto (worth the reading) are at large regiſtred in *Malmsbury* and *Mathew Parker*,

Anno 793. [c] Will. Malms. de Geſt. Reg. l. 1. c. 4 p. 30, 31, 32. Mat. Parker Antiqu. Eccl. Brit. p. 27. 28, 29. Mat. Weſt. Anno 789, 797, 798. Gervaſius Acta Pontif. Cant. col. 1642. Propoſit. 5, 6.

ker: Hereupon the new Archbishoprick of *Lichfield* was dissolved, and the antient Metropolitical Jurisdiction of the See of [d] *Canterbury* restored. Anno 798. by the Judgement and decree of the *Council* of *Bacanceld*, and advice of Pope *Leo*; who being advanced to the Papacy, and saying his first Masse, a certain woman to whom he formerly had accesse, as was reported, coming up to offer, wringing him sweetly by the hand and kissing it, thereby stirred up an incentive of lust in the Pope; Who after the Masse ended, sitting in his Chamber and reprehending himself, sodenly cut off his hand, according to that Gospel-saying: * *If thy foot or hand shall offend, cut it off and cast it from thee, &c.* After which, concealing the fact, and retiring to a solitary place, he prayed to the blessed Virgin to restore his hand cut off from his arm; which she miraculously did. And thereupon it was then decreed: *Statutum est tunc quod numquam ex tunc manus Papæ ab offerentibus deoscularetur, sed Pes*; that never from thenceforth the Popes hand should be kissed by such who offered (or resorted to him, but his *foot:*) as (e) *Matthew Westminster*, and others record: The original ground of kissing the Popes foot instead of his hand ever since (f) Some write, this Popes tongue and eyes were once or twice cut off, and pulled out by the Citizens of *Rome*, and yet again miraculously restored to him, as well as his hand: which the blind Papists may credit, though few else believe to be a truth, but a ridiculous lying *Romish Legend* for the whetstone.

[d] *See here, p. 32.*

* *Mat. 5 29, 30.*

[e] *Anno 799. p. 293. See Onuphrius, Baleus, and others in his Life.*

[f] *Sim. Dunelm. de Gest. Reg. Angl. Col. 116. Radulph. de Diceto, Col. 799. See Platina, Onuphrius, Baronius, Hermannus Schedel. Baleus, Opmeerus, and others in his Life.*

Exit Crimen

ERRATA

ERRATA.

Page 35. *line* 37. *r.* malitiam, *p.* 37. *l.* 16. *r.* preceeded, *p.* 41. *l.* 36. Heabert, *p.* 46. *l.* 31. *dele* ſent, *p.* 64. *l.* 26. *r.* him himſelf, *p.* 69. *l.* 16. him and them, *p.* 80. *l.* 10. *largeſt*, *r.* longeſt, *l.* 30. Churchets, *p.* 83. *l.* 35. of the, *p.* 91. *l.* 21. this, *p.* 206. *l.* 9. *at*, or, *p.* 107. *l.* 2. imitator, *p.* 113. *l.* 34. King, *p.* 120. *l.* 30. *hoc*, hæc, *p.* 126. *l.* 8. jura, *l.* 21. Edelnato, *p.* 135. *l.* 14. again, *p.* 144. *l.* 5. *r.* Edric, *p.* 146. *l.* 3. Ely, *p.* 147. *l.* 29. affecto, *p.* 148. *l.* 21. exterorum, *p.* 197. *l.* 8. *cariage*, *r.* Courage, *p.* 235. *l.* 2. Regis, *p.* 241. *l.* 4. *r.* 1032, *p.* 246. *l.* 26. *dele* as, *p.* 250. *l.* Harold, *Hærde-cnute*. Godwin, *Harold*. *p.* 267. *l.* 6. *of*, as, *p.* 271. *l.* 12. *ſactus*, Sanctis, *p.* 279. *l.* 34. Abbatem, *p.* 286. *l.* 17. erunt, *p.* 288. *l.* 28. Solium, *l.* 36. limina *p.* 297. *l.* 8. Hoveden, *l.* 28. pater, *l.* 32. Edward, *p.* 298. *l.* 21. Hoveden, *l.* 29. regina, *p.* 300. *l.* 5. 31. one hundred thouſand, *p.* 301. *l.* 28. cure of the Kings evil. *p.* 302. *l.* 12. gentilitium, *l.* 13. Francorum, *l.* 27. King, *l.* 33. Fabian, *p.* 303. *l.* 36. harm. *p.* 304. *l.* 17. Beverſton, *p.* 305. *l.* 5. Bononians, Caſtle, *p.* 307. *l.* 30. *dele* in, *p.* 310. *l.* 25. ignominia, *p.* 316. *l.* 9. denominated, *p.* 328. *l.* 1. Hereford, *p.* 331. *l.* 8. *which*, with, *p.* 341. *l.* 20. impletam, *l.* 27. ſocii, *l.* 35. huic, *p.* 355. *l.* 31. *King*, Duke, *p.* 357. *l.* 30. *may*, many, *p.* 361. *l.* 28. tired forces, *p.* 365. *l.* 7. occidentem, *p.* 368. *l.* 22. *their*, the. p. 387. *l.* 36. them, *him*. p. 291. *l.* 32. *1069*.

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